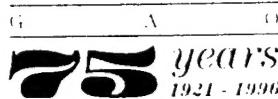
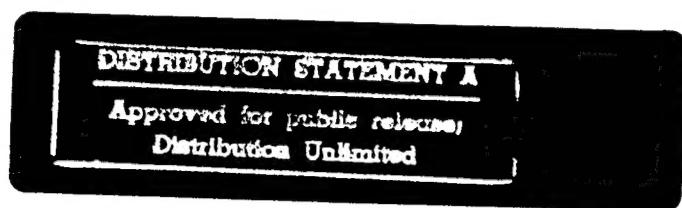


Report to the Honorable
Glen Browder, House of Representatives

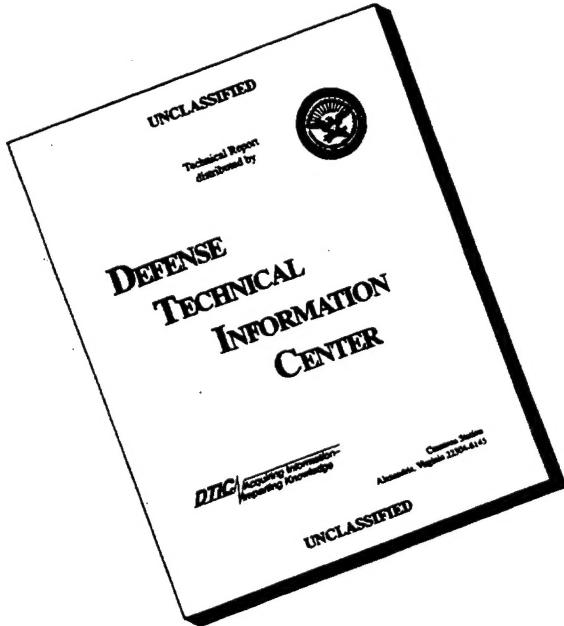
July 1996

CHEMICAL WEAPONS STOCKPILE

Emergency Preparedness in Alabama Is Hampered by Management Weaknesses



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National Security and
International Affairs Division

B-271766

July 23, 1996

The Honorable Glen Browder
House of Representatives

Dear Mr. Browder:

As requested, we reviewed the Army's Chemical Stockpile Emergency Preparedness Program (CSEPP) for Alabama and Calhoun County. You were concerned that Alabama communities may not be prepared to respond to a chemical stockpile emergency, even though the Army allocated the state \$46 million to enhance emergency preparedness. Our objectives were to assess (1) the funding and status of CSEPP in Alabama and Calhoun County; (2) the impact of federal, state, and local management on Alabama's program; and (3) Calhoun County's opposition to the chemical stockpile disposal facility that the Army plans to build at the Anniston Army Depot.

Results in Brief

Eight years after CSEPP's inception, Alabama communities near Anniston Army Depot are not fully prepared to respond to a chemical stockpile emergency because they lack critical items. Alabama and six counties have not spent \$30.5 million, 66.4 percent of the \$46 million allocated to enhance emergency preparedness. The unexpended funds are associated primarily with the following four projects for which federal, state, and local officials have not agreed on specific requirements: (1) a CSEPP 800-megahertz (MHz) emergency communications system, (2) equipment and supplies to protect people in public buildings (including schools and hospitals), (3) indoor alert and notification devices for public buildings and homes, and (4) personal protective equipment for emergency workers.¹ Citing these four projects and eight other areas as major emergency preparedness deficiencies, Calhoun County Emergency Management Agency (EMA) opposes the granting of a state environmental permit for the construction of Anniston's disposal facility until it receives a written commitment from the Army to support the county's emergency preparedness requirements or provide acceptable alternatives.

The lack of progress in Alabama's CSEPP is the result of management weaknesses at the federal level and inadequate action by state and local agencies. Management weaknesses at the federal level are fragmented and

¹On April 23, 1996, federal, state, and local officials negotiated an agreement on the 800-MHz communications project.

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unclear roles and responsibilities, incomplete and imprecise planning guidance, extensive involvement in the implementation of certain local projects, lack of team work in the budget process, and ineffective financial controls. These weaknesses have resulted in time-consuming negotiations and delays in implementing projects critical to emergency preparedness. At the state level, Alabama EMA spent more than 2 years trying to contract for a demographics survey, which will serve as the basis for determining the requirements for the tone alert radios and developing critical planning documents. The survey still has not started as of May 28, 1996. In addition, Calhoun County EMA has been reluctant to initiate CSEPP projects until federal officials agree to the county's requirements.

The situation in Alabama may not be unique; since 1994, we have reported that CSEPP is not working the way it was intended. Our work has shown that although some progress has been made, local communities near the eight chemical weapons storage sites in the United States are not fully prepared to respond to a chemical emergency, financial management is weak, and costs are growing. For example, almost \$157.3 million (44.9 percent) of the \$350.5 million in CSEPP expenditures have been for federal management, contracts and Army installations, and the Army's current program cost estimate of \$1.03 billion has increased by 800 percent over the original estimate of \$114 million.

We are not making any recommendations at this time. The information on Alabama's CSEPP is being used in an ongoing assessment of the status and management of CSEPP in the other nine states participating in the program. We plan to issue a report later this year. However, at this time, clearly the problems experienced in Alabama's CSEPP are likely to continue until an effective approach is developed for reaching timely agreements among federal, state, and local officials on specific requirements for projects. Developing this approach should rest with the Army to whom the program funds are appropriated and is ultimately responsible for the program's success.

Background

In November 1985, the Congress directed the Department of Defense (DOD) to destroy the U.S. stockpile of obsolete chemical agents and munitions and also directed that the disposal program provide for the maximum protection of the environment, the public, and the personnel involved in disposing of the munitions.² Although the Army considers the likelihood of a chemical release at one of its eight storage sites to be extremely small,

²Public Law 99-145.

the health effects of an accident can be severe. Some munitions contain nerve agents, which can disrupt the nervous system and lead to loss of muscular control and death. Others contain a series of blister agents commonly, but incorrectly, referred to as mustard agents, which blister the skin and can be lethal in large amounts.

State and local officials, in accordance with state laws, have primary responsibility for developing and implementing emergency response programs for communities in the event of an emergency. In 1988, the Army established CSEPP to assist communities near the chemical stockpile storage sites to enhance existing emergency preparedness and response capabilities in the unlikely event of a chemical accident. Most communities near the sites had little capability to respond to a chemical emergency when CSEPP began. Threats to the stockpile include external events such as earthquakes, airplane crashes, and tornadoes and internal events such as spontaneous leakage of chemical agent, accidents during handling and maintenance activities, and self-ignition of propellant. The effect of a chemical stockpile accident would depend on such things as the amount and type of agent released, meteorological conditions, and the community's proximity to the storage site and emergency response capabilities.

The Department of the Army is responsible for managing and funding CSEPP. Section 1521(c)(3) of 50 U.S.C. states that the Secretary of Defense may make grants to state and local governments, either directly or through the Federal Emergency Management Agency (FEMA), to assist those governments in carrying out functions related to emergency preparedness. Under a memorandum of understanding, the Army delegated partial management of the program to FEMA. As the primary source of technical expertise in chemical weapons, the Army determines overall program direction and provides funding. As the primary source of expertise in emergency preparedness, FEMA distributes Army funds to states through cooperative agreements and provides technical assistance.³ "Cooperative agreements" are legal instruments that provide federal funds when there will be substantial involvement by federal agencies in the management of state and local programs. In contrast to cooperative agreements, "federal grants" are legal instruments that provide funds when there will be no substantial federal involvement. Program funds flow from the Army to FEMA headquarters, through FEMA regional offices, and to the states. States provide funds to counties as their subgrantees. According to CSEPP

³The funds provided to the states are covered by the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (44 C.F.R., parts 13 and 14).

guidance, FEMA is responsible for working with state and local governments in developing emergency preparedness plans, upgrading community response capabilities, and conducting training.⁴ A combined Army and FEMA office, called the CSEPP Core Team, coordinates and implements public affairs, exercises, training, communications, and other activities for the program. (See app. I for funds allocated to CSEPP entities for fiscal years 1988 through 1995.)

At the state level, the Alabama EMA is responsible for CSEPP and other emergency programs. Six Alabama counties participate in the program: Calhoun, Clay, Cleburne, Etowah, St. Clair, and Talladega. Of the six counties, Calhoun County has the largest population at risk and has received most of the funds. Calhoun EMA manages CSEPP and other emergency programs for the county. Anniston Army Depot in Alabama stores 661,000 chemical weapons containing more than 2,200 tons of nerve and mustard agents. Included in Anniston's stockpile are approximately 78,000 nerve agent-filled M55 rockets, the stockpile's most unstable weapon. Before constructing its chemical stockpile disposal facility at Anniston and other stockpile sites, the Army is required to obtain certain permits and approvals from federal, state, and local regulatory agencies. Under the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 *et seq.*), the Environmental Protection Agency has delegated the administration of the environmental permitting process to the Alabama Department of Environmental Management (DEM).

Alabama and Six Counties Have Not Spent Most CSEPP Funds

Since 1989, the Army and FEMA have awarded Alabama \$46 million, more than any other state, for CSEPP. Table 1 shows that as of March 1995 Alabama had spent only one-third of the \$46 million and that Calhoun County, whose share of the \$46 million is \$30.2 million, had spent only one-fifth of its money.

⁴Planning Guidance for the Chemical Stockpile Emergency Preparedness Program, the Army and FEMA, July 6, 1994.

Table 1: Comparison of Expended and Unexpended CSEPP Funds for Alabama and Calhoun County (fiscal years 1989-95)

Category	Dollars in thousands		
	Calhoun County	Total ^a	Alabama
Allocated funds	\$30,187.8	\$45,980.8	
Expended funds	6,145.9	15,449.4	
Unexpended funds	24,041.9	30,531.4	
800-MHz communications system	14,678.7	16,234.4	
Collective protection project	4,200.0	4,200.0	
Tone alert radios	3,772.0	4,169.8	
Personal protective equipment	780.0	850.0	
Other CSEPP projects	611.2	5,077.2	

^aFigures are as of March 1995. Total for all state agencies and Calhoun, Clay, Cleburne, Etowah, St. Clair, and Talladega counties.

Alabama and its counties have not been able to spend most of the CSEPP funds allocated to them because (1) FEMA, state, and local officials cannot agree on specific requirements for major capital projects and (2) FEMA has not provided Alabama or Calhoun County officials permission to spend some of the funds. According to FEMA, the unexpended funds are mostly the result of Calhoun County's refusal to initiate the CSEPP projects until the Army and FEMA agree to all of the county's demands related to specific requirements. According to Calhoun County EMA, the agency does not initiate actions that do not conform to CSEPP guidance and could be detrimental to providing maximum protection to the public. When disputes related to specific requirements occur, there is no established approach for negotiating an agreement among federal, state, and local officials. More than 83 percent of Alabama's unexpended funds are associated with four projects: 800-MHz communications system, collective protection of special facilities, tone alert radios, and personal protective equipment.

Disagreements on Aspects of the 800-MHz Communications System Delayed the Project

On the basis of CSEPP-funded studies, Calhoun County EMA concluded in 1990 that the county's conventional communications system did not meet CSEPP requirements. In 1992, the Army and FEMA determined that every CSEPP jurisdiction should have a functioning communications system connecting the Army installation, state EMA, and immediate response zone counties. The immediate response zone is the area generally extending approximately 6 to 9 miles around the storage site and the area considered

at the greatest risk from a chemical release. The Army and FEMA approved a CSEPP 800-MHz communications system for Alabama in 1993 and authorized \$8.8 million and \$4.4 million in fiscal years 1994 and 1995, respectively. FEMA subsequently authorized an additional \$3 million, bringing total funding for the system to \$16.2 million.

The communications system is an integrated, simulcast network with 20 channels that operate at a frequency of 800-MHz. The system will enable Alabama emergency workers to communicate inter- and intra-agency without having to wait for a channel to clear if someone is using it. The system is also the platform to simultaneously activate sirens and tone alert radios. In the authorization, FEMA also said the precise number of radios, their distribution, and follow-on radios would be decided by negotiations among FEMA, state, and county officials.

Despite several years of studying, meeting, and negotiating, Alabama does not have an integrated 800 MHz communications system for CSEPP. Federal, state, and local officials did not agree on the number and distribution of the 800-MHz radios until April 23, 1996. In addition, FEMA officials decided to place a \$1-million repeater tower and some radios in Talladega County's precautionary zone. The "precautionary zone" is the area beyond 21 to 30 miles from the storage site and, under most conditions, beyond where CSEPP activities are required and where a repeater tower would be located. However, Calhoun and St. Clair county officials believe placing the tower and radios in the precautionary zone does not comply with program guidance. Some equipment will be nearly 50 miles from the Anniston Army Depot. As a result, Calhoun EMA, which is managing the contract for the 800-MHz system, was reluctant to award the contract.

According to FEMA, the 800-MHz communications system is not in place because Calhoun County EMA refused to initiate work on the contract until the county's demand for additional radios was met. According to the Calhoun EMA Director, his agency only supports projects that provide goods, services, and equipment in compliance with CSEPP guidance. On April 23, 1996, federal, state, and county officials met to resolve the issues that were delaying the implementation of the CSEPP 800-MHz project in Alabama. At the meeting, federal officials agreed to provide additional 800-MHz radios to Alabama and Calhoun and Talladega counties. Calhoun County EMA awarded the 800-MHz contract on May 30, 1996. According to Calhoun EMA, the contractor has 16 months from the contract award date to manufacture and install the communications system.

**Calhoun County EMA
Disagrees With FEMA's
Selection of Facilities for
Collective Protection**

In 1989, the Oak Ridge National Laboratory concluded that, in the event of an accidental release of chemical agent, a chemical plume could cover sections of Calhoun County's immediate response zone in 1 hour.⁵ (See app. II for a description of the potential distribution of the hazard from a chemical release.) Oak Ridge also concluded in the 1989 report that evacuation was not recommended for the general population in Anniston's immediate response zone and recommended expedient sheltering. According to another Oak Ridge National Laboratory draft report in 1991, Calhoun County residents would take 5 hours and 45 minutes to evacuate the greater Anniston area. The Oak Ridge's estimate is the clearance time required for 100 percent of the vehicles to evacuate the area during bad weather at nighttime. On the basis of the Oak Ridge studies, Calhoun County EMA officials believe that it would be impossible to safely evacuate everyone. However, according to a senior official from the Oak Ridge National Laboratory, Calhoun County officials should not rely on the results of the 1991 draft report for planning purposes because the (1) report was never finalized and (2) changes in road conditions and demographics since 1991 may have affected the results of the draft report.⁶

To shelter the people they cannot evacuate, Calhoun County EMA officials believe collective protection is the best option. According to Calhoun EMA officials, "collective protection" is a combination of (1) a filtered overpressurized air system and (2) adequate food, water, and medical supplies to house a selected number of people up to 3 days in a closed facility. However, Army officials believe Calhoun EMA's shelter time estimate of 3 days is excessive and that a chemical plume would pass over the area in 3 to 12 hours. The facilities to be provided with collective protection include schools, hospitals, jails, community centers, and public buildings that are within walking distance of homes and businesses. The Army Edgewood Research, Development and Engineering Center has completed a study to validate procedures for sheltering residents in a variety of housing types and identify a less burdensome and costly way to protect citizens in place. The draft report is dated December 8, 1995, and comments are being incorporated for publication of the final report.

Although FEMA allocated Alabama \$4.2 million for positive pressurization, county officials are reluctant to accept the allocation because they

⁵Emergency Response Concept Plan for Anniston Army Depot and Vicinity, Oak Ridge National Laboratory, Oct. 1989.

⁶FEMA never asked Oak Ridge National Laboratory to finalize the draft report.

disagree with FEMA's selection of facilities and funding amount.⁷ In September 1995, Calhoun County EMA provided federal officials a suggested list of 55 facilities for collective protection. FEMA officials selected 21 facilities from the list on the basis of the location and type of facility but did not discuss their selection with Calhoun EMA officials. According to county officials, five of the facilities FEMA selected were not their highest priority. In addition, FEMA only provided enough funding for 8 to 10 hours of support rather than the 3 days requested by the county. As a result, as of April 19, 1996, county officials had not accepted the allocation. According to FEMA, the agency has not received a formal rebuttal or request from Calhoun County to change this authorization.

FEMA Has Not Released Funds for Tone Alert Radios Because Requirements Are Not Identified

In 1992, the Army and FEMA agreed that every CSEPP location should have a functioning alert and notification system for communities in the immediate response and protective action zones.⁸ Tone alert radios are indoor alert and notification devices that will be placed in homes, schools, hospitals, jails, nursing homes, and businesses in the zones. The radios are capable of providing alerting signals and instructional messages about appropriate protective actions.

In fiscal year 1993, FEMA allocated Alabama \$900,000 to conduct a demographics survey to determine the requirements for tone alert radios and \$4.3 million for the radios, with the stipulation that the funds not be released until the survey was completed. FEMA required the demographics survey to determine the number of residences and institutions requiring tone alert radios before they were purchased and installed. Because the Alabama EMA has not completed the demographics survey, FEMA has not released the funds. (See app. III for a discussion of Alabama EMA's management of the demographics survey.) According to Alabama EMA officials, they are close to awarding a contract for the survey with the Argonne National Laboratory and plan to submit their contract proposal to the governor's office in June 1996. After the contract is awarded, the demographics survey should take 6 to 9 months to complete.

⁷"Positive pressurization" is just one portion (the filtered overpressurized air system) of Calhoun County's concept of collective protection.

⁸The "protective action zone" is the area generally extending 10 to 30 miles from the chemical stockpile storage site where public protective actions may be necessary but where most people have time to evacuate in case of a chemical emergency.

FEMA Delayed Funding for Personal Protective Equipment

Personal protective equipment has been considered a critical response requirement for several years. In July 1994, the Argonne National Laboratory concluded there was a potential for the aerosol deposition of agents off post from a chemical stockpile accident at Anniston.⁹ The deposition creates the requirement for personal protective equipment. "Personal protective equipment" consists of portable respirators, protective suits, gloves, boots, and hoods. Because of their traffic, decontamination, health, and other critical response duties at the periphery of the chemical plume, local CSEPP emergency workers may find themselves in danger of contamination from an unexpected shift in the chemical plume.

In fiscal year 1994, Calhoun County EMA requested funding for personal protective equipment. FEMA deferred the request until CSEPP funds became available in fiscal year 1995. At this time, FEMA transferred \$850,000 to Alabama EMA for personal protective equipment with the condition the agency was not authorized to purchase equipment until the Occupational Safety and Health Administration completed an evaluation of available civilian protective equipment. The Occupational Safety and Health Administration completed its evaluation in late 1995. However, Calhoun EMA officials believe they need additional funding for Army-provided equipment, protective components for decontamination teams, and medical examinations for local emergency workers. A draft document produced by the Centers for Disease Control and Prevention suggests that emergency workers who wear personal protective equipment complete annual medical examinations.¹⁰ In late 1995, the Army initiated a needs assessment study to calculate new equipment requirements for Alabama and Kentucky. Alabama EMA officials assume that any additional personal protective equipment funding will be withheld pending the outcome of the assessment.

According to FEMA, there is nothing preventing Calhoun County EMA from purchasing the approved equipment, but the county has refused to initiate work on the project until its demand for additional funding is approved. According to Calhoun County EMA, the agency is ready to issue a contract for the civilian respirators and protective suits after the requirements for medical examinations are defined and related funds are provided by FEMA.

⁹Potential for Surface Contamination by Deposition of Chemical Agent Following Accidental Release at an Army Storage Depot, Argonne National Laboratory, July 1994.

¹⁰The draft is not dated, but officials from the centers believe that it was produced in early 1996.

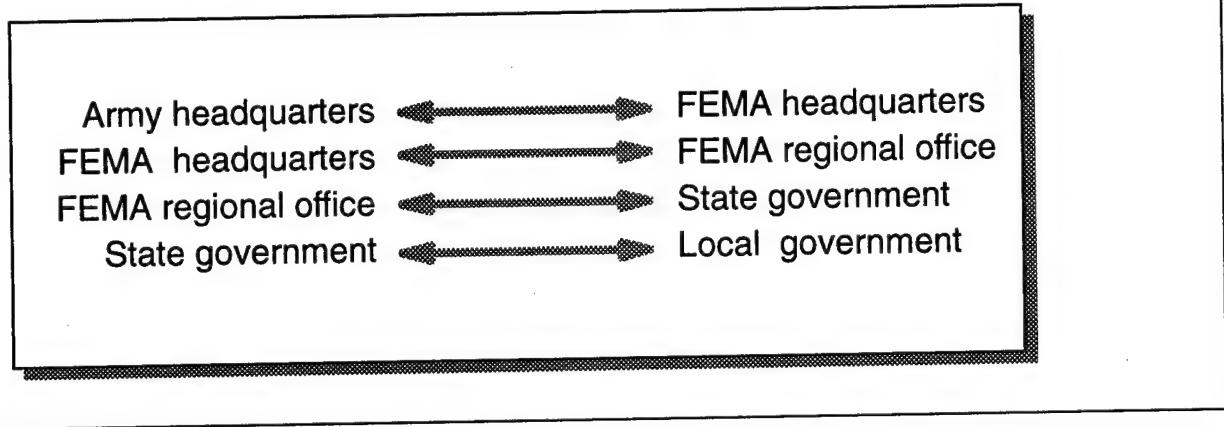
Management Weaknesses at the Federal Level Have Hampered Progress

The Army is slow to achieve the desired results in Alabama because CSEPP's (1) management roles and responsibilities are fragmented and unclear, (2) planning guidance is imprecise and incomplete, (3) officials at the federal level are too involved in the management of certain local projects, (4) budget process lacks teamwork, and (5) financial controls are ineffective. These weaknesses have resulted in time-consuming negotiations and delays in implementing projects critical to emergency preparedness.

The Army's and FEMA's Roles and Responsibilities Are Not Well-Defined

The Army and FEMA formed the CSEPP Core Team to facilitate communication with state and county officials. However, the Core Team does not function as intended. The Army's and FEMA's management responsibilities are not well-defined; there is no clearly defined protocol for communicating with any of the management groups. As a result, state and county EMA officials are uncertain about federal roles and responsibilities, and often find themselves trying to interact with two or more officials from the CSEPP Core Team, FEMA headquarters, and the FEMA regional office. For example, a Calhoun EMA official recently contacted a FEMA Core Team member to discuss the unresolved issue about the distribution of 800 MHz radios. The Core Team member told the county official to use the state's chain of command and direct his inquiries through Alabama EMA and the FEMA regional office. In some cases, county EMA officials have vented their frustrations to the Army Program Manager for Chemical Demilitarization and to Members of Congress.

In commenting on a draft of this report, FEMA said that CSEPP has a well-defined and long-established protocol for intergovernmental communications. Specifically, according to FEMA, information flows back and forth along the following protocol:

Figure 1: FEMA's Communications Protocol for CSEPP

Source: FEMA.

However, FEMA's protocol does not recognize the role and responsibilities of the CSEPP Core Team. According to the Core Team's charter, dated January 6, 1995, the Core Team is the focal point for accountability of the program and coordinates and integrates on- and off-post activities. The Core Team was established, in part, to streamline procedures, improve responsiveness to state and local agencies, and enhance the overall budget process. We believe that FEMA's illustration supports our observation that the role and responsibilities of the CSEPP Core Team are not clearly understood by state and county officials.

Planning Guidance Is Imprecise and Incomplete

The Army and FEMA's planning guidance, by design, allows states and counties flexibility to enhance their local emergency preparedness programs to address the different risks at the stockpile sites. In commenting on a draft of this report, FEMA said that too much precision in the guidance would limit CSEPP's ability to change with improvements in technology and emergency management techniques. However, as a result of its imprecise nature, the guidance is often interpreted differently by federal, state, and county officials. In other cases such as emergency medical services, reentry, and restoration, the guidance has not been completed.

CSEPP's guidance on communication systems states that radios should go to public safety agencies. At one time, FEMA officials interpreted this to mean only agencies responding immediately to the chemical emergency. On the other hand, Calhoun EMA officials interpret the guidance to include law, fire, rescue, and other public safety agencies responding to a chemical emergency, as well as governmental, medical, educational, and other special agencies. County officials point out that CSEPP guidance goes far beyond public safety agencies. In February 1996, after extensive negotiations, FEMA tentatively agreed to fund radios for agencies defined as quasi-public safety agencies. These agencies include Calhoun County Road Department, Anniston Public Works, and Anniston Water Works. Federal, state, and local officials did not agree on the final number and distribution of the 800-MHz radios until April 23, 1996.

In another example, Calhoun County EMA officials provided five pages of references to CSEPP guidance to justify their request for 24-hour staffing of their emergency operations center. However, the guidance does not provide a firm position on the requirement for 24-hour staffing. County officials' justification is based primarily on the 8-minute window to respond to a chemical emergency. The officials believe the county needs to have 24-hour staffing for its operations center to meet the 8-minute alert and notification requirement. If an incident occurred when the center was closed, it would take a minimum of 30 minutes for an employee to travel to the center and initiate the alert and notification process. The Army policy is to implement 24-hour staffing of the depot's emergency operations center when disposal operations begin and not to fund 24-hour staffing of local centers. In commenting on a draft of this report, the Army said that Calhoun EMA should consider less costly options, such as using the county's 911 emergency center, to initiate its alert and notification process. According to Calhoun County EMA, there are safety concerns about the location of the county's existing 911 center in the immediate response zone. In addition, Calhoun EMA attempted to relocate and consolidate the county's 911 emergency center with the EMA emergency operations center in the early 1990s, but did not receive any support from the Army or FEMA. The need for 24-hour staffing is still an ongoing issue with federal, state, and Calhoun County officials.

Local officials are also dissatisfied with FEMA's inconsistent interpretation of CSEPP guidance. For example, the St. Clair County EMA Director commented to us about FEMA's inconsistent budget decisions. FEMA denied her request for alert devices for the county's volunteer fire department because the department was not in the protective action zone and does

not comply with CSEPP guidance. In contrast, she points out that Talladega County is receiving a repeater tower and radios for its precautionary zone, outside of CSEPP guidance. According to FEMA officials, they are obtaining a waiver to CSEPP guidance for Talladega's tower.

In other cases, CSEPP guidance is not complete. Program officials originally planned to complete all program guidance and standards by September 1989. However, they have not yet completed their guidance on emergency medical services or reentry and restoration procedures.¹¹ As a result, local communities lack formal guidance to help them prepare their plans and determine their requirements for medical services, reentry, and restoration. According to FEMA officials, the guidance has been distributed in draft form pending resolution of outstanding issues. They believe that the outstanding issues should not preclude the states and counties from using the drafts for daily planning. However, Calhoun County EMA and other CSEPP participants do not consider FEMA's drafts as final planning guidance.

FEMA Officials Are Too Involved in Certain Local Projects

FEMA has said that the states are in the best position to determine CSEPP priorities on a statewide basis and balance local requirements against the needs of all affected counties. However, our work shows that in certain cases, FEMA officials become involved in the management of local projects to the point of making specific decisions on requirements. This level of involvement has contributed to disagreements and time-consuming negotiation on projects.

For example, according to Calhoun EMA officials, FEMA never consulted with the county on their selection of the 21 facilities to be collectively protected and selected 5 facilities that county officials would prefer to be protected at a later date. In another example, FEMA officials had Talladega County EMA officials take them by helicopter to view the proposed sites for additional sirens. In Calhoun County, the same FEMA officials videotaped the locations where county officials said they needed sirens. With respect to the 800-MHz communications project, FEMA officials specified where the radios will be located by each agency in Calhoun County. In commenting on a draft of this report, FEMA said that the past and present scrutiny by the Congress and us has resulted in the agency's instituting stricter controls to ensure that it does not authorize unnecessarily elaborate or unreasonable

¹¹On June 27, 1995, the Centers for Disease Control and Prevention published in the Federal Register their recommendations for medical preparedness guidelines for communities near the chemical stockpile storage sites. FEMA is still in the process of issuing the final medical preparedness guidelines.

funding requests. We believe that once the Army and FEMA approve and allocate funds for a CSEPP project, state and local agencies are in the best position to implement and manage the project. Similarly, FEMA also concludes in its comments that the states are in the best position to determine program priorities on a statewide basis and balance local requirements against the needs of all CSEPP counties.

According to Calhoun County EMA, FEMA sometimes places unacceptable conditions on the county's use of CSEPP funds. For example, in September 1995, FEMA allocated Calhoun County \$11,400 to complete the purchase of three mobil emergency road signs, with the following conditions: no vehicles would be provided to move the signs, no additional funding would be provided for maintenance, and Calhoun County would be accountable for the signs. Calhoun EMA rejected the funding because of the conditions. The agency reported that FEMA's conditions were unprecedented, undesirable, and unproductive. According to Calhoun EMA officials, the county does not have available vehicles to move the signs.

Budget Process Lacks Teamwork

According to state and county officials, the budget process lacks teamwork. County officials told us they have little or no influence on the budgetary process other than to make the initial request and that FEMA's rationale for budget decisions is not fully explained to them.

Alabama EMA officials said that federal officials do not understand the state's concept of operations. For example, FEMA allocated Alabama EMA funds in fiscal year 1996 to purchase laptop computers for local public information officers to use every day and take to the joint information center during a chemical emergency. However, the intent of this allocation differs from Alabama EMA's concept of operations, which provides for local public information officers to remain in their counties' operations centers. The state's concept of operations provides for county liaisons in the joint information center to handle county affairs. As a result, Alabama EMA officials plan to request that FEMA reallocate these funds to the county EMAs.

Similarly, Calhoun EMA officials said that the funding process lacks teamwork and that federal officials do not understand the county's concept of operations. FEMA deferred funding for several local projects that county officials believe should have been funded sooner. For example, the county did not receive funding for personal protective equipment until 1995—more than 6 years after the program's inception. In another

instance, Alabama and Calhoun EMA officials concluded in 1992 that Calhoun County lacked the infrastructure to treat and care for all evacuees but FEMA did not provide funding for host counties until fiscal year 1996. In addition, according to Calhoun EMA officials, FEMA may not have the personnel with the technical expertise to adequately assess local budget requests. For example, the FEMA regional official, who reviews Alabama budgets, said that he did not have the technical background to assess requirements for automation information systems and did not fully understand Calhoun County's collective protection concept.

Our Previous Reports Describe Long-standing Weaknesses in CSEPP's Financial Management and Controls

The Army's financial management of CSEPP has not been effective in controlling the growth in costs. The Army's current cost estimate for the program has increased by 800 percent over the initial cost estimate of \$114 million in 1988. In commenting on a draft of this report, the Army said that the initial estimate was made prior to defining the program's scope, requirements, and time frames. The Army and FEMA have already spent \$350.5 million and estimate the program will cost \$1.03 billion. In addition, almost \$157.3 million (44.9 percent) of the expenditures have been for federal management, contracts, and Army installations. According to the Army, some of these expenditures were for computer hardware and software provided to state and local emergency management agencies and for emergency preparedness projects at Army installations at the local level.

In our previous work, we concluded that Army's and FEMA's management of CSEPP needed improvements to ensure that (1) local communities could effectively respond to a chemical emergency, (2) officials have accurate financial information to identify how funds are spent, and (3) program goals are achieved. In 1994, we reported that communities near the stockpile sites lacked critical items to respond to a chemical emergency, including operational communications systems, alert and notification devices, decontamination equipment, complete automated information systems, and personal protective equipment.¹² For example, Pine Bluff, Arkansas, and Pueblo, Colorado, did not have sirens installed and most other stockpile sites did not have tone alert radios. According to the Army, Pine Bluff now has an operational siren system. In 1995, we reported that program officials lacked accurate financial information to identify how

¹²Chemical Weapon Stockpile: Army's Emergency Preparedness Program Has Been Slow to Achieve Results (GAO/NSIAD-94-91, Feb. 22, 1994).

funds were spent and ensure that program goals were achieved.¹³ For example, Arkansas had reprogrammed \$413,000 in unobligated funds to construct office space without FEMA's approval, and Kentucky and Washington had unexpended CSEPP balances of \$4.4 million and \$2.4 million, respectively.

Army and FEMA officials subsequently stated that they are working to improve CSEPP's financial management. For example, the Army restructured the overall management of CSEPP and established the centralized CSEPP Core Team. In addition, the Army and participating states developed life-cycle cost estimates for CSEPP in 1995 to facilitate DOD's oversight of the program's escalating costs. Notwithstanding these actions, the federal financial management of CSEPP is still weak. Specifically, records on expenditure data are limited; allocation data differ among FEMA, Alabama EMA, and county EMAs; and FEMA maintains large unexpended balances of funds for Alabama and Calhoun County. In response to our 1995 report on CSEPP, DOD reported that (1) it was not cost-effective for federal program managers to account for actual CSEPP expenditures after the initial allocations were made, (2) discrepancies in allocation data among management levels were not indications of weak financial management, and (3) existence of unexpended balances that are 2 years old was not poor management.

State and Local Actions Have Delayed Projects

Although the progress of CSEPP in Alabama has been hampered by management weaknesses at the federal level, some state and local actions have contributed to the delay in implementing projects critical to emergency preparedness. For example, Alabama EMA spent more than 2 years trying to contract for a demographics survey, which will serve as the basis for determining the requirements for the tone alert radios and developing critical planning documents. In addition, Calhoun County EMA has been reluctant to initiate CSEPP projects until federal officials agree to the county's requirements.

Alabama EMA Is Slow to Contract for the Demographics Survey

In September 1993, FEMA allocated Alabama \$900,000 to conduct a demographics survey of counties in the immediate response zone. The survey was intended to serve as the basis for determining the requirements for the tone alert radios, selecting host counties in Alabama, and developing critical planning documents.

¹³Chemical Weapons: Army's Emergency Preparedness Program Has Financial Management Weaknesses (GAO/NSIAD-95-94, Mar. 15, 1995).

Alabama EMA spent more than 2 years trying to contract for a demographics survey and the survey has still not begun. Because Alabama EMA lacked contracting and legal personnel, the agency wanted a former consultant to manage the contract for the demographics survey and other planning studies. Initially, Alabama EMA spent 2 years trying to hire and pursue a sole-source contract with the former consultant, but the Alabama Personnel Board denied the agency's request for a merit position and, due to liability insurance issues, the contract was never awarded.

In October 1995, Alabama EMA requested FEMA's assistance with managing the contract. In response, FEMA contacted the Argonne National Laboratory. In December 1995, Argonne submitted a draft contract proposal to the state EMA. The agency sent Argonne's proposal to its six CSEPP counties for their review. Initially, Calhoun EMA was reluctant to participate because the contract did not provide for specific tasks, products, time frames, and a reasonable means of relief if the specifications were not met. In March 1996, Alabama EMA officials told us they had concurrence from all counties and planned to move forward with the contract. Agency officials submitted their contract proposal for approval to the Alabama Legislative Review Committee on May 28, 1996, and plan to submit the proposal to the governor's office in June 1996. The purpose of the initial contract is for Argonne to develop statements of work for the first three planning projects: (1) the demographics survey, (2) evacuation time estimates, and (3) a traffic management plan. After the contract is awarded, the demographics survey should take 6 to 9 months to complete.

On May 9, 1996, the Director of Calhoun County EMA reported that his agency had not concurred with the state's moving ahead with the total proposed contract with the Argonne National Laboratory because the proposal still lacks specific requirements. The Director hopes that the lack of specificity his agency is concerned about will be laid out in subsequent contractual efforts with Argonne.

Some of Calhoun County's Actions Are Considered Controversial

Federal, state, and other county officials believe that Calhoun EMA is often uncooperative and that its actions have a negative effect on the progress of CSEPP in Alabama. Alabama EMA's correspondence with Calhoun EMA often note that the county's lack of teamwork consumes time and delays the progress of the program in Alabama. However, in commenting on a draft of this report, Calhoun County EMA Director disagreed with the federal, state, and other county officials' assessment that some of his agency's

actions have slowed the progress of the program. The Director reported that Calhoun EMA has an obligation to the citizens of the county to ensure maximum protection and that he fully supports his agency's prior decisions and actions regarding CSEPP issues.

In fiscal year 1992, FEMA allocated Alabama \$1.2 million for a siren system in and around Anniston and, subsequently, asked Calhoun County EMA to manage the contract for the system. As part of the contract, Calhoun EMA officials purchased four sirens and one activation control panel, which are still county property, for Anniston Army Depot. During the project, Calhoun EMA officials installed four of the county's sirens on the depot but kept the control panel. County EMA officials concluded there was no need for the depot to have a control panel to activate the off-base siren system and justified keeping the panel on the basis of a local statute prohibiting the transfer of county property to the federal government.¹⁴ As a result, Anniston Army Depot could not activate the four sirens it received or the off-base sirens. According to Army officials, the depot plans to return the four sirens to the county and install its own sirens. The Army estimates that the upgrade and addition of sirens for the depot will cost \$88,000.

Calhoun County EMA also manages the contract for the CSEPP 800-MHz communications system in Alabama. In a memorandum dated October 18, 1995, after a meeting where Calhoun EMA officials declined to negotiate on the distribution of radios, an Alabama EMA official said it was a mistake to allow Calhoun County EMA to manage the contract. The official concluded that Calhoun EMA officials were unable or unwilling to look after the interests of other stakeholders in the program. However, in commenting on a draft of this report, the Calhoun County EMA Director disagreed with the state official's assessment that Calhoun EMA was unable or unwilling to consider the interests of others in the program. The Director said that all Alabama CSEPP entities, as well as federal agencies, will directly benefit or have already benefitted from the county's actions.

**Calhoun County EMA
Opposes the
Environmental Permit for
Anniston's Disposal
Facility**

Because of 12 major deficiencies it has identified in the program, Calhoun County EMA opposes the Army's environmental permit application to construct Anniston's disposal facility until it receives a written commitment from the Army to support the county's emergency preparedness requirements or provide acceptable alternatives. According to Calhoun EMA, correcting these long-standing deficiencies is critical for

¹⁴In commenting on a draft of this report, Calhoun County EMA said that Anniston Army Depot decided that it was not activating the off-post siren system, thus negating the requirement for a siren controller on the depot.

the county to adequately respond to a chemical stockpile emergency. (The 12 major deficiencies are described in app. III.) In addition, Calhoun EMA officials question the Army's ability to maintain its current level of emergency support because of the decision during the base realignment and closure process to close Fort McClellan in Alabama. Previously, Fort McClellan was to provide medical, fire, decontamination, and transportation support to Anniston Army Depot.

According to Alabama DEM officials, the department does not plan to oppose the environmental permit on the basis of Calhoun EMA's concerns. They believe that the Army has made adequate arrangements to replace Fort McClellan's emergency response capabilities. If a conflict between DEM and Calhoun County should exist at the time a decision on the environmental permit is due, state laws allow the governor of Alabama to override local communities' opposition in an emergency situation. According to DEM officials, the chemical stockpile weapons are considered to be a risk and, therefore, an emergency situation.

Agency Comments and Our Evaluation

We received written comments on a draft of this report from DOD, FEMA, and Calhoun County EMA. All of the agencies agreed that there has been a lack of progress in implementing CSEPP in Alabama; however, each expressed different views on the extent to which their actions contributed to the delay. The major concerns raised by each agency and our evaluations are presented here. The comments of DOD and FEMA are presented in their entirety in appendixes IV and V, respectively, along with our evaluation of specific points. They also provided technical clarifications and, where appropriate, we incorporated them in our report. The Director of Calhoun County EMA also provided technical clarifications, which we incorporated in our report. We did not reproduce the Director's comments because they were technical in nature and their length and format made them difficult to reprint.

DOD Partially Concurred

DOD agreed with our assessment that the lack of progress in implementing CSEPP in Alabama relates to management weaknesses. However, DOD did not agree that federal agencies were primarily responsible. DOD suggested that a more balanced assessment would include the roles of federal, state, and local governments.

In our draft report, we concluded that the lack of progress of Alabama's CSEPP was primarily the result of management weaknesses at the federal

level and that state and local actions also slowed the program. It was not our intent to leave the impression that the delay in Alabama's CSEPP was solely the result of management weaknesses at the federal level. We have revised the final report to eliminate the reference to primarily and to more clearly attribute the lack of progress to federal management weaknesses and actions by state and local agencies. However, it is important to note that the problems experienced in Alabama's CSEPP are likely to continue until an effective approach is developed for reaching timely agreements among federal, state, and local officials on specific requirements for projects. Even though other agencies are involved, CSEPP is an Army program and, as such, its progress and stewardship of CSEPP resources is ultimately the Army's responsibility.

FEMA Raised a Number of Concerns

FEMA reported that it had serious concerns about our conclusions and the tone of the report. Specifically, the agency stated that the draft report did not (1) incorporate information supporting FEMA actions and (2) adequately assign blame to Calhoun County EMA for many of the delays in the program. FEMA was concerned that all of the problems were attributed to federal mismanagement; in FEMA's view Alabama EMA and Calhoun County EMA clearly shared responsibility for many of the delays.

In response to FEMA's comments, we incorporated additional information describing the agency's actions in the report. Our draft report recognized that state and local actions, including Calhoun County, contributed to the lack of progress in Alabama's CSEPP. However, it was not our intent to attribute the lack of progress solely to federal management weaknesses, and we revised the final report to eliminate the reference to federal weaknesses as the primary cause.

Calhoun County EMA Partially Concurred

The Director of Calhoun County EMA agreed with our assessment that Calhoun County is not fully prepared to respond to a chemical stockpile emergency and also reported that the county is not adequately prepared to recover from the effects of chemical contamination. In addition, the Director concurred with our assessment that the lack of progress in Alabama CSEPP is primarily the result of management weaknesses at the federal level, but said that our draft report should have focused less on management weaknesses at the state and local levels. The Director disagreed with our assessment that some of the county's actions have slowed the progress of the program in Alabama. He reported that Calhoun County EMA has an obligation to the citizens of the county to ensure

maximum protection and that he fully supports his agency's prior decisions and actions regarding CSEPP issues. However, as discussed in the report, we believe that some of Calhoun EMA's actions have contributed to the lack of progress in Alabama's CSEPP.

Scope and Methodology

We obtained information from the Army and FEMA on CSEPP policies, guidance, procedures, and projects. We also interviewed officials and analyzed data given to us by officials from the Army Program Manager for Chemical Demilitarization; Anniston Army Depot; FEMA headquarters and region IV; Alabama EMA and DEM; and Calhoun, Clay, Cleburne, Etowah, St. Clair, and Talladega counties.

To assess the funding and progress of Alabama's and Calhoun County's emergency preparedness programs, we examined a variety of federal, state, and county planning and funding documents and reconciled data among the Army, FEMA, state, and counties. To assess the status of Alabama's and Calhoun County's programs, we compared selected projects with program guidance and requirements and determined whether the projects complied with program goals, benchmarks, and time frames. To assess the effectiveness of the federal, state, and county management, we reviewed the Army's and FEMA's management structure and guidance and compared them with state and local requirements and concerns. For those critical projects not yet completed, we identified and analyzed the reasons for their delay. We also documented and analyzed the impact of (1) state and county EMAs' involvement in the funding process, (2) the Army's and FEMA's feedback on the budget process and partial funding of projects, and (3) slow disbursements of funds. To assess Calhoun County EMA's opposition to the Army's environmental permit application, we reviewed the permitting requirements and application process and determined the status of the county's 12 major deficiencies.

Our review was conducted from November 1995 to April 1996 in accordance with generally accepted government auditing standards.

We are sending copies of this report to the Chairmen of the Senate Committees on Armed Services and Appropriations and the House Committees on National Security and Appropriations, the Secretaries of Defense and the Army, the Directors of FEMA and the Office of Management and Budget, and other interested parties. We will make copies available to others upon request.

Please contact me at (202) 512-8412 if you or your staff have any questions.
Major contributors to this report are listed in appendix VI.

Sincerely yours,



David R. Warren
Director, Defense Management Issues

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Abbreviations

CSEPP	Chemical Stockpile Emergency Preparedness Program
DOD	Department of Defense
DEM	Department of Environmental Management
EMA	Emergency Management Agency
FEMA	Federal Emergency Management Agency
MHz	megahertz

Funds Allocated to Chemical Stockpile Emergency Preparedness Program Entities in Fiscal Years 1988 Through 1995

Dollars in thousands		
Entity	Amount	Percent
Army headquarters and commands	\$24,452.7	6.98
Army installations	27,067.6	7.72
Army major contracts (over \$100,000)	68,536.3	19.55
Other Army contracts	122.8	0.04
Federal Emergency Management Agency headquarters and regions	11,917.7	3.40
Federal Emergency Management Agency contracts ^a	25,165.2	7.18
Alabama and counties	46,661.1	13.31
Arkansas and counties	20,060.7	5.72
Colorado and county	13,039.6	3.72
Illinois and counties	3,226.9	0.92
Indiana and counties	12,672.2	3.62
Kentucky and counties	17,796.6	5.08
Maryland and counties	17,437.4	4.97
Oregon and counties	22,568.2	6.44
Utah and counties	21,134.4	6.03
Washington and county	15,777.4	4.50
Other entities	1,093.1	0.31
Not allocated	1,778.6	0.51
Total	\$350,508.5	100.00

^aAccording to the Federal Emergency Management Agency (FEMA), the agency's contracts support the entire Chemical Stockpile Emergency Preparedness Program (CSEPP) community and include the development of program guidance, training courses, and computer software.

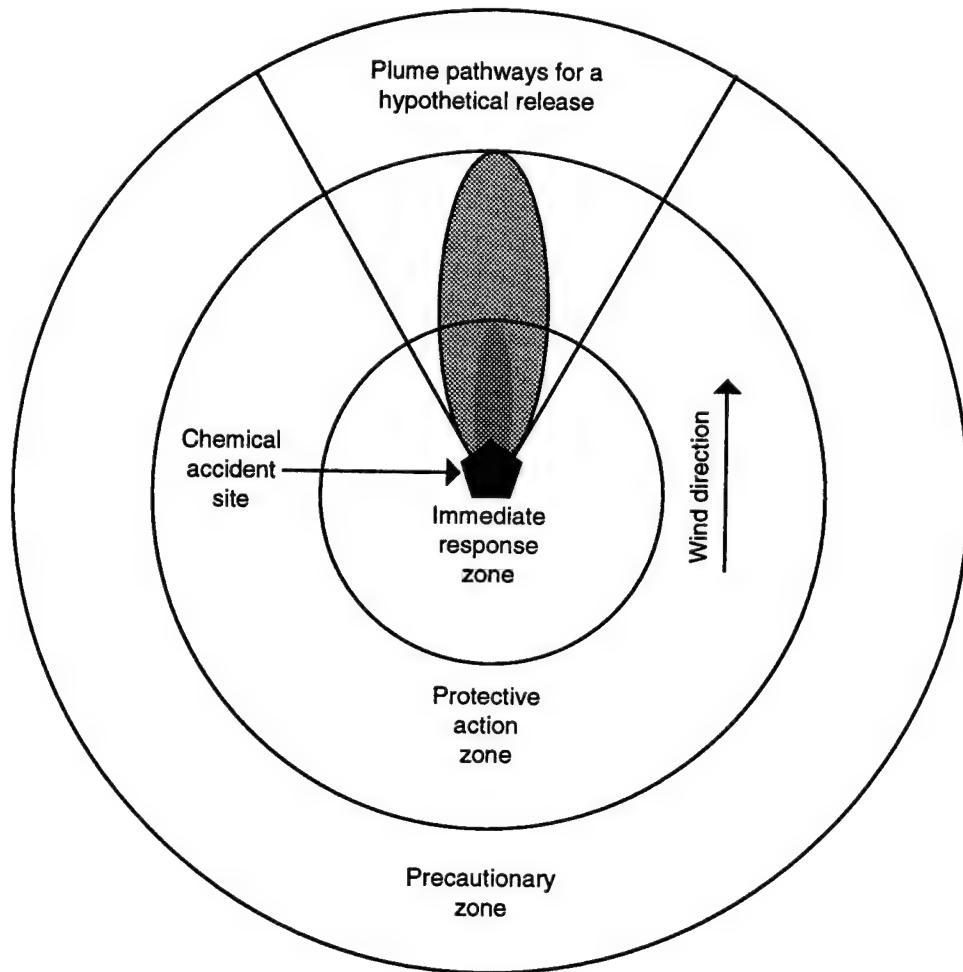
Source: Department of the Army and FEMA.

Hazard Distribution From a Hypothetical Chemical Release

A variety of accidents associated with the chemical stockpile weapons can occur at the storage site or disposal facility or in transit. The distribution of the hazard from these accidents is based on a number of factors, including how much agent is released, how it is released, the duration of the release, the meteorological conditions, and the topography. In general, the risks from any release decreases as the distance away from the release point increases. As a result, the level of planning decreases and type of planning changes as the distance from the release site increases. CSEPP planning zones are partitioned into three territories: the innermost zone is the immediate response zone, the middle zone is the protective action zone, and the outermost zone is the precautionary zone. (See fig. II.1.)

Appendix II
Hazard Distribution From a Hypothetical
Chemical Release

Figure II.1: Three-Zone Planning Concept for CSEPP



Source: Emergency Response Concept Plan for Anniston Army Depot and Vicinity, Oak Ridge National Laboratory, Oct. 1989.

Calhoun County Has Identified 12 Major Deficiencies in Its Program

No Demographics Survey

The demographics survey is 1 of 12 planning studies that the Army and FEMA provided the Alabama Emergency Management Agency (EMA) \$1.5 million in fiscal years 1992, 1993, and 1994 to implement. A demographics survey would identify the size, density, and characteristics of the population in the state's immediate response zone. Demographics data are critical to other CSEPP projects because their requirements will be based on these data. However, the survey had not started as of May 28, 1996. According to FEMA, Alabama EMA received adequate funding for the demographics survey in fiscal year 1992 and any delays encountered in contracting for the survey resulted from the difficulties Alabama EMA experienced rather than from any involvement on the part of the federal government.

Because Alabama EMA did not have the expertise to manage the contracts for the 12 studies, including the demographics survey, the agency pursued a person for 2 years in attempts to hire and contract with him to serve as the contract manager for the 12 studies. The Alabama Personnel Board denied the agency's request for a merit position. The agency then pursued the person through a sole-source contract. Alabama EMA officials told us that a sole-source contract was justified because the individual previously worked as a consultant for the agency and had extensive knowledge of the program. State officials gave up the pursuit for a short time when the individual could not meet the liability insurance requirements imposed by Alabama Finance Department's Risk Management Division. This person then went to work for Ketron Corporation, and Alabama EMA officials tried to hire him again believing he could get the necessary liability insurance through the corporation. However, by September 1995, negotiations with Ketron fell through.

In October 1995, Alabama EMA requested FEMA's assistance with contracting for the demographics survey. FEMA contacted Argonne National Laboratory and requested its services. In December 1995, Argonne submitted a draft contract proposal to the state EMA. The Alabama EMA sent the proposal to its six CSEPP counties for review. Initially, Calhoun County EMA informed the agency that it was reluctant to participate in the contract because the proposal did not provide for specific tasks, products, time frames, and a reasonable means of relief if provisions are not met. In March 1996, Alabama EMA officials said that all county EMAs concurred with the proposed contract and they plan to move forward with negotiations. Agency officials submitted their contract proposal for approval to the Alabama Legislative Review Committee on May 28, 1996, and plan to submit the proposal to the governor's office in

June 1996. The purpose of the initial contract is for Argonne to develop statements of work for the first three planning projects: (1) the demographics survey, (2) evacuation time estimates, and (3) a traffic management plan. After the contract is awarded, the demographics survey should take 6 to 9 months to complete.

In commenting on a draft of this report, the Director of Calhoun County EMA said that his agency had not concurred with the state's moving ahead with the total proposed contract with the Argonne National Laboratory because the proposal still lacks specific requirements. The Director hopes that the lack of specificity his agency is concerned about will be laid out in subsequent contractual efforts with Argonne.

No Evacuation Time Estimate Study

This deficiency will be alleviated when the Argonne National Laboratory completes the 12 planning studies. The evacuation time estimate study is 1 of the 12.

No Indoor Tone Alert Radio System

Although funds were allocated in fiscal year 1993, Alabama communities still do not have tone alert radios. Tone alert radios are indoor alert and notification devices, that will be placed in homes, schools, hospitals, jails, nursing homes, and businesses in the immediate response and protective action zones. These warning devices are to be activated by the 800-megahertz (MHz) communications system to warn people of a chemical emergency and provide voice instructions on what to do. Until the radios are in place, according to Calhoun EMA officials, local citizens cannot be adequately warned of a chemical stockpile emergency.

In fiscal year 1993, FEMA allocated Alabama EMA \$4.3 million for tone alert radios with the stipulation that funds would not be released until the agency had completed a demographics survey to determine the number of residences and institutions needing the radios before they are purchased and installed. Calhoun EMA cannot purchase tone alert radios because the demographics survey is not completed. According to FEMA, even if the tone alert radios had been purchased when initially funded, they would have remained unusable because Calhoun County EMA delayed implementation of the 800-MHz communications system needed to activate the radios. In addition, on April 12, 1996, an Alabama EMA official told us that FEMA was in the process of revising the standards for the tone alert radios.

Table III.1 shows the breakdown of funding for the radios in fiscal year 1993.

Table III.1: CSEPP Funding for Tone Alert Radios by County in Fiscal Year 1993

County	Amount	Percent
Calhoun	\$3,772,000 ^a	90.5
Talladega	390,000	9.4
Cleburne	3,900	0.1
Clay	3,900	0.1
Total	\$4,169,800	100^b

Note: Alabama EMA and Etowah and St. Clair counties have not received funding for tone alert radios.

^aReduced from the initial allocation of \$3.9 million because \$128,000 was reallocated to the sirens project in fiscal year 1995.

^bDoes not total to 100 percent due to rounding.

Calhoun EMA officials said FEMA has not allocated enough funding to meet the county's requirement for tone alert radios. The initial funding estimate was based on obtaining 30,000 radios. However, county EMA officials now estimate the county will need approximately 50,000 radios.

No Personal Protective Equipment

Personal protective equipment is needed to provide protection for emergency workers responding to a chemical emergency. According to CSEPP guidance, personal protective equipment is required in any situation where there is a possibility that emergency personnel will encounter a chemical agent during the performance of their duties. Personal protective equipment consists of portable respirator, protective suit, gloves, boots, and hood. According to Calhoun County EMA officials, emergency workers cannot adequately respond to a chemical emergency until they are provided basic protection.

Because of their assigned traffic, decontamination, health, and other critical response duties at the periphery of the chemical plume, local emergency workers may find themselves in danger of contamination from an unexpected shift in the plume. In July 1994, the Argonne National Laboratory concluded there was a potential for aerosol deposition of a chemical agent off-post. The deposition creates the requirement for personal protective equipment. According to Calhoun EMA, local emergency workers who might normally help during a chemical emergency would have to evacuate if they did not have personal protective

Appendix III
Calhoun County Has Identified 12 Major
Deficiencies in Its Program

equipment. According to the Army, the typical public safety official should not be located in the predicted hazard area. However, the Army and FEMA allocated Alabama \$850,000 for personal protective equipment in 1995.

FEMA allocated Alabama \$850,000 with the condition the agency would not purchase the equipment until the Occupational Safety and Health Administration completed its ongoing evaluation. Although the Occupational Safety and Health Administration had completed its evaluation at the end of 1995, personal protective equipment requirements in Alabama are still uncertain. According to Calhoun EMA officials, \$780,000 is sufficient to purchase the required 1,148 sets of equipment. However, county EMA officials believe they need additional funding for Army-provided equipment, protective components for decontamination teams, and medical examinations for local emergency workers. A draft document produced by the Centers for Disease Control and Prevention suggested that emergency workers who wear personal protective equipment complete annual medical examinations.¹ Just recently, the Army initiated a needs assessment study to determine requirements for Alabama and Kentucky. Alabama EMA officials assume any additional personal protective equipment funding will be withheld pending the outcome of the new needs assessment.

Table III.2 breaks down FEMA's funding for personal protective equipment in fiscal year 1995.

Table III.2: CSEPP Funding for Personal Protective Equipment by Agency in Fiscal Year 1995

Agency	Amount	Percent
Alabama EMA	\$40,000	4.7
Calhoun County EMA	780,000	91.8
Talladega County EMA	30,000	3.5
Total	\$850,000	100.0

According to Army and FEMA officials, Alabama and Calhoun County EMAs have been authorized since December 1995 to purchase the baseline equipment with the funds already authorized. They do not understand why the agencies have not acted more aggressively in obtaining the equipment. In commenting on a draft of this report, FEMA said that there is nothing preventing Calhoun County EMA from purchasing the approved equipment but the county has refused to initiate work on the project until its demand for additional funding is approved. According to Calhoun County EMA, the agency is ready to issue a contract for the civilian respirators and

¹The draft is not dated, but officials from the centers believe that it was produced in early 1996.

protective suits when requirements for medical examinations and related funding are established and provided by FEMA.

Lack of Reception and Mass Care Locations

According to Calhoun County EMA officials, local citizens do not know where to evacuate in case of a chemical emergency. Parents are especially concerned about their children and demand to know where their children will be in the event county schools are evacuated. Regardless, Alabama EMA officials believe FEMA's recent selection and funding of Lee, Jefferson, and Madison counties as reception and host counties essentially settled Calhoun EMA's concern.

Host counties in Alabama are required to receive, decontaminate, medically screen, treat, and shelter an estimated 110,000 evacuees in case of a chemical emergency. The state EMA initially suggested some Calhoun County residents evacuate to Georgia. FEMA rejected this request and suggested the state study the option of sending evacuees to safe locations in the protective action zone. According to FEMA, the decision not to expand the program into Georgia was based on sound fiscal management. However, the counties in the protective action zones are rural, and do not have adequate infrastructure to process evacuees. Therefore, Alabama and Calhoun County EMA officials recommended that Lee, Jefferson, and Madison counties, which have the necessary infrastructure to provide mass care, serve as reception and host counties. In March 1996, FEMA approved the state's selection of host counties. The annual costs, mostly for planning and preparation activities, are estimated to range from \$50,000 to \$60,000 for each county.

In commenting on a draft of this report, FEMA said that reception and mass care facilities have been identified and CSEPP officials are in the process of working with the host counties. Because of FEMA's recent approval of funds for host counties, according to Calhoun County EMA, Alabama participants can start working toward meeting the CSEPP requirement for reception and mass care facilities.

No Collective Protection System

Calhoun County EMA officials said that they first proposed the concept of collective protection about 4 years ago, but no one from the Army or FEMA ever discussed the idea with them. Collective protection provides pressurized shelter with an air-filtering system and enough food, water, and supplies to house a selected number of people up to 3 days. On

March 25, 1996, Alabama EMA transferred \$4.2 million to Calhoun County for collective protection projects.

In 1989, Oak Ridge National Laboratory concluded that, in the event of an accidental release of chemical agent, the chemical plume could cover segments of Calhoun County's immediate response zone in 1 hour. Oak Ridge also concluded in the 1989 report that evacuation was not recommended for the general population in Anniston's immediate response zone and recommended expedient sheltering. According to another Oak Ridge National Laboratory 1991 draft report, it would take 5 hours and 45 minutes to evacuate the residents in the greater Anniston area. The estimate is the clearance time required for 100 percent of the vehicles to evacuate the area during bad weather at nighttime. On the basis of the Oak Ridge studies, Calhoun County EMA officials believe it would be impossible to safely evacuate everyone from the chemical plume. To shelter the people they cannot evacuate, county officials believe collective protection is the best option. However, according to a senior official from the Oak Ridge National Laboratory, Calhoun County officials should not rely on the 1991 draft report for planning purposes because the (1) report was never finalized and (2) changes in road conditions and demographics since 1991 may have affected the results reported in the draft.² According to the Army, Calhoun EMA must be planning to evacuate the entire immediate response zone and believe that a more prudent action would be to evacuate only those portions of the county that would be at risk.

Calhoun County EMA's collective protection concept involves both building protection systems and community shelters. County EMA officials believe building protection systems will be needed in hospitals, schools, nursing homes, jails, and other facilities that cannot be quickly evacuated. This system consists of a small enclosed room that folds out within a larger room and contains an air filtration system and adequate food, water, sanitary, and medical supplies. Community shelters would include large facilities containing an air filtration system and provisions. The shelters would be located so that residents could walk to them during a chemical emergency.

Alabama EMA officials told us more research and data are needed to make any rational decision on Calhoun County's proposal for collective protection. The Army Edgewood Research, Development and Engineering Center has completed a study to validate procedures for sheltering

²FEMA never asked Oak Ridge to finalize the draft report.

residents in a variety of housing types and identify a less burdensome and costly way to protect citizens in place. The draft report is dated December 8, 1995, and comments are being incorporated for publication in the final report.

On September 12, 1995, FEMA allocated Alabama \$4.2 million for positive pressurization projects in Calhoun County. On March 25, 1996, Alabama EMA transferred the \$4.2 million authorization to Calhoun County. However, positive pressurization is just one portion of Calhoun County's concept of collective protection. The county's concept combines filtered over pressurized air and the support of food, water, and medical supplies to house specific numbers of people up to 3 days. As a result, Calhoun EMA officials believe the \$4.2 million allocation is too little. They estimate that the county will require about \$67.6 million for collective protection—\$16 million for building protection sites and \$51.6 million for the community shelters. The Army believes that a chemical plume would pass over the area in 3 to 12 hours and that Calhoun EMA's shelter time estimate of 3 days is excessive.

On the basis of the type of facilities, distance from the storage site, potential to support nearby communities and available funding, FEMA selected 21 facilities in Calhoun County for positive pressurization. However, according to Calhoun EMA officials, FEMA officials never coordinated their selection of the 21 facilities with them. Although county officials provided FEMA a suggested list of 55 facilities for collective protection, they disagree with 5 of the 21 facilities selected. They believe other facilities in the county have a greater need for collective protection. As a result, county officials would prefer protecting 5 facilities selected at a later date and replace them with 5 facilities considered higher priorities. According to FEMA, the agency has not received a formal rebuttal or request from Calhoun County to change this authorization. According to Army and FEMA officials, funds will be allocated in the future to pressurize additional facilities in the county.

No Integrated Communications System

After several years of studying and meeting, Alabama still does not have an integrated communications system. On the basis of CSEPP-funded research completed in 1990 and 1991, Calhoun EMA officials decided that the existing conventional communications system did not meet CSEPP integrated requirements. In 1992, Army and FEMA officials agreed that every CSEPP jurisdiction should have a functioning communications system connecting the Army installation, state EMA, and counties in the immediate

response zone. In May 1993, FEMA approved the 800-MHz communications system for CSEPP in Alabama. The 800-MHz communications system is an integrated, simulcast network with 20 channels that operate at a frequency of 800-MHz. The CSEPP system will provide Alabama and Calhoun and Talladega counties with a critical capability of communicating inter- and intra-agency without having to wait for a channel to clear if someone is using it. The system can also be used as the platform to simultaneously activate sirens and tone alert radios.

Initially, federal officials anticipated local EMAs would jointly acquire and maintain the 800-MHz system. According to Alabama EMA officials, they wanted to handle the contract but FEMA officials allowed Calhoun County to manage the contract. However, according to Calhoun EMA officials, Alabama EMA could not put together the contract so FEMA officials asked the county to manage the contract.

Following are instances that show the history of the growth in costs for the CSEPP 800-MHz communications system in Alabama:

- FEMA provided Alabama \$8.8 million for the baseline system and \$4.4 million to expand the system and purchase additional radios in fiscal years 1994 and 1995, respectively. According to the authorization letter, the funds were considered "not to exceed" limits for the project. The letter also declared that the precise number of radios, their distribution, and follow-on radios would be determined by negotiations between FEMA, state, and county officials.
- In June 1995, FEMA authorized an additional \$1,034,426 for the placement of a second communications tower in Talladega County. The letter also said that any negotiated reductions in the system's cost would be applied to additional field equipment at the discretion of FEMA, state, Calhoun, and Talladega officials.
- In August 1995, FEMA provided an additional \$2 million for more equipment and radios bringing the total amount available for the 800-MHz system to \$16.2 million.

Calhoun EMA officials announced during a meeting in October 1995 that with the additional \$2 million they could obtain the required communication equipment plus 1,187 extra radios and Calhoun EMA intended to keep all the extra radios. According to other program officials, they attempted to negotiate with Calhoun EMA officials regarding the additional radios, but Calhoun officials would not negotiate. According to Calhoun EMA officials, they tried to discuss the distribution of the

additional radios, but Talladega County officials left the meeting. In a memorandum describing the meeting, an Alabama EMA official said it was a mistake for Calhoun County to manage the contract. The official concluded Calhoun EMA officials were unable or unwilling to look after the interests of other stakeholders in Alabama. In commenting on a draft of this report, the Calhoun County EMA Director disagreed with the state EMA official's assessment that his agency was unable or unwilling to consider the interests of others in the program. He said that all Alabama CSEPP entities either have or will directly benefit from the county's actions related to CSEPP.

According to Alabama and Calhoun County officials, the number and distribution of radios were tentatively negotiated in December 1995. However, FEMA, state, and county officials continued to disagree about the number of radios needed by first responders until April 23, 1996. In addition, FEMA officials decided to place a \$1-million communications tower and some radios for Talladega County in its precautionary zone. Some equipment would be nearly 50 miles from Anniston Army Depot. Calhoun and St. Clair county officials believe placing the equipment in the precautionary zone does not comply with program guidance. As a result, Calhoun EMA officials were reluctant to award the contract. On March 15, 1996, the Calhoun County Commission Chairman sent a letter to the Program Manager for Chemical Demilitarization expressing his concerns about the 800-MHz system and recommended that the Army reevaluate FEMA's distribution of radios.

On April 23, 1996, federal, state, and county officials met to resolve the issues that were delaying the implementation of the 800-MHz project in Alabama. At the meeting, federal officials agreed to provide additional 800-MHz radios to Alabama and Calhoun and Talladega counties. In return, Calhoun County EMA awarded the 800-MHz contract on May 30, 1996. According to the Calhoun EMA, the contractor has 16 months from the contact award date to manufacture and install the communications system.

According to the Army, Calhoun EMA's claim that the county does not have a sufficient communications system to adequately respond to a chemical stockpile emergency implies that the county is not prepared to respond to other hazards—earthquakes, tornadoes, hazardous material incidents, etc. The Army concluded that, until CSEPP provided funding for the county's communications system, Calhoun EMA was unable to provide basic emergency protection to its citizens. According to the Army, Calhoun

County has not provided any funding to upgrade its local communications system. According to FEMA, the CSEPP 800-MHz communications system is not in place because Calhoun EMA refused to initiate work on the contract until the county's demand for additional radios was met. According to the Calhoun County EMA Director, his agency only supports projects that provide goods, services, and equipment complying with CSEPP guidance.

Lack of 24-Hour Staffing of Emergency Operations Center

Federal, state, and Calhoun County officials differ on the need for 24-hour staffing of the county emergency operations center. The center serves as the location where responsible officials gather during a chemical emergency to direct and coordinate operations, communicate with officials from other jurisdictions in the field, and formulate protective action decisions. The Army policy is to implement 24-hour staffing of the depot's emergency operations center when disposal operations begin and not to fund 24-hour staffing of local centers. Alabama EMA officials believe the Army should staff the depot's emergency operations center during both storage and disposal operations. State officials told us the current lack of 24-hour staffing at the depot's center results in less than adequate immediate response capability during nonworking hours and places local citizens at unnecessary risk. CSEPP guidance requires Anniston Army Depot 5 minutes from the initial detection of an actual or likely chemical agent release to notify local points of contact of the release, its emergency notification level, and recommended protective actions.

Calhoun EMA officials believe they should staff their center 24 hours a day. Currently, Calhoun County emergency operations center is staffed only during normal working hours, 24 percent of the time. County EMA officials believe this would present a problem if there were a chemical emergency during the other 76 percent of the time when the center is empty. Calhoun EMA officials believe this is unacceptable when it takes a minimum of 30 minutes for agency employees to reach the center and begin activating the alert and notification process. According to CSEPP guidance, the time that elapses from the chemical accident to the decision to warn the public of the danger is of paramount importance to the success of the public alert and notification system. The guidance also requires the outdoor alert and notification system be capable of providing an alerting signal and instructional message within 8 minutes from the time a decision is made that the public is in danger. County EMA officials plan for a response time of 8 minutes—5 minutes to make a protective action decision and 3 minutes to alert and notify the public. According to county officials, if an emergency occurs while the center is empty, the lack of any capability to

quickly activate the alert and notification system places local citizens at risk.

Calhoun EMA officials have proposed three ways to resolve the 24-hour staffing issue with CSEPP funds:

- Provide Calhoun EMA additional people to staff its emergency operations center 24 hours a day. According to the Director of Calhoun County EMA, the current staff's job descriptions do not provide for shift rotations to allow them to operate the center full time.
- Consolidate the county's 911 emergency center and CSEPP operations center. Currently, the 911 center is located in another facility in the immediate response zone, an area that would be evacuated during a chemical emergency.
- Require the Army to administer the immediate response operations and initiate the alert and notification system.

Army and FEMA officials state that there is no need for Calhoun County to have a 24-hour emergency operations center on the basis of Anniston's risk assessment. The risk assessment concludes that the greatest risk of a chemical accident is during normal handling and maintenance activities. The Army plans to staff Anniston's emergency operations center 24 hours a day when disposal operations begin. Until then, Anniston has a duty officer in charge 24 hours a day. In the unlikely event a chemical emergency was to occur, Army officials would contact Calhoun County's 24-hour 911 emergency center, which would notify the local emergency response agencies.

In commenting on a draft of this report, the Army said that Calhoun County EMA should consider less costly and equally effective alternatives to 24-hour staffing of the county's CSEPP operations center, such as using the county's 911 emergency center to initiate the alert and notification process. In addition, FEMA believes that the cost of 24-hour staffing of the CSEPP emergency operations center out weighs the benefits in light of available alternatives, ranging from using the county's current 911 emergency system to using the off-post warning system. FEMA officials also recommend that the 911 center stay in the immediate response zone and that its building be overpressurized to allow the center to operate during a chemical emergency and be responsible for the initial alert and notification actions. According to FEMA, Calhoun County refuses to consider reasonable alternatives adopted by other counties participating in CSEPP. However, Calhoun County EMA questions the feasibility of the

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Army's and FEMA's concept, without additional analysis, of using the county's 911 emergency center to initiate a CSEPP response.

Lack of Funding for Local Public Information Awareness

Alabama and Calhoun County EMA officials believe FEMA does not provide adequate support and money for local public awareness programs. Calhoun officials cite the county's \$9,000 allocation in fiscal year 1995 for public awareness activities as one of the reasons for their concern. In addition, they note that the county has over 60 public schools, a university, 3 hospitals, 5 nursing homes, and approximately 120,000 people. Alabama EMA officials said that they agreed with the county on this issue.

Army and FEMA officials said that Calhoun EMA officials did not consider funds allocated to pay for salary of the county's public information officer in their \$9,000 figure. Federal officials also recognize that 1995 was a lean year for CSEPP. In contrast to the funding for fiscal year 1995, Calhoun County received over \$150,000 for its public awareness program, but less than requested, in fiscal years 1994 and 1996. (See table III.3.)

Table III.3: CSEPP Funding for Calhoun County's Public Awareness Program in Fiscal Years 1994 Through 1996

Fiscal year	Requested	Category			Total
		Calendar	Public awareness	Salary	
1994	\$310,000	\$93,755 ^a	\$40,796	\$18,299	\$152,850
1995	63,000	102,000 ^a	9,000	19,495	130,495
1996	483,910	102,000	45,000	23,523	170,523
Total	\$856,910	\$297,755	\$94,796	\$61,317	\$453,868

^aAlabama EMA funds allocated for CSEPP calendars that were never produced by the state EMA. The funds were requested by and transferred to Calhoun County EMA.

In commenting on a draft of this report, FEMA said that Calhoun County's requests for funds do not professionally support the public affairs mission of informing the public of how to respond in the case of a chemical stockpile emergency. For example, FEMA reported that some of the county's requests were intended to fund frisbees, key chains, baseball caps, T-shirts, and pencils. According to Calhoun County EMA, these public awareness items comply with CSEPP guidance, which provides that each CSEPP jurisdiction consider (1) using a variety of methods to communicate with the public and (2) developing promotional items for distribution at community fairs, shopping malls, and public meetings.

Lack of a Complete Siren System

According to Calhoun EMA officials, additional sirens are needed to adequately warn the public in case of a chemical emergency at Anniston Army Depot. Currently, the county has 43 sirens. According to Alabama EMA officials, they have supported the county's position on this issue for several years, pending the on-site assessment of the current siren system.

Calhoun EMA officials believe they need at least 19 additional sirens to adequately warn the public of a chemical emergency. The immediate response zone has dead spots, where the population cannot hear the sirens, and the protective action zone has special population areas that are not covered by the current system. County officials said they saved \$102,947 from their negotiations for the initial siren contract to pay for some of the additional sirens. However, FEMA is withholding the funds pending a site survey and a new site assessment and sound propagation study. Calhoun County EMA supports the requirement for the site assessment and sound propagation study, but questions why the assessment and study are required only for Calhoun EMA and not for other CSEPP entities.

FEMA reallocated Calhoun County \$128,000 for a new sound propagation study and additional sirens in fiscal year 1995.³ In addition, FEMA reported that it would authorize the expenditure of existing funds to purchase additional sirens if the study validates the requirement. According to Alabama EMA, FEMA has been slow in taking action to resolve Calhoun County's concern that the current siren system is inadequate to warn the public of a chemical stockpile emergency.

Lack of a Complete, Automated Information System

According to Calhoun EMA officials, the agency's ability to respond and recover from a chemical emergency depends on its automated information system. County officials identified several items they believe are required to sustain or enhance their automated capabilities. They include remote automated workstations for county officials, additional projectors, a back-up server, and optical jukebox. In fiscal years 1995 and 1996, Calhoun EMA requested more than \$1 million for automated data processing equipment. The Army and FEMA approved \$79,700 for automation equipment in fiscal year 1995 and \$201,000 in fiscal year 1996. According to Calhoun EMA officials, inadequate automation capabilities are still an unresolved issue for the county.

³Funds were reallocated from the tone alert radios project.

According to FEMA, the necessary equipment for the Federal Emergency Management Information System has been authorized for purchase for Alabama. FEMA said that Calhoun County EMA was insisting on equipment that exceeds the automation requirements for the county.

Requirement for Local Workstations

Calhoun EMA officials said they need 19 remote automated workstations for local officials from the County Commission, the County Health Department, the American Red Cross, mayors' offices, hospitals, and several other groups. The workstations are estimated to cost about \$8,000 each. According to county EMA officials, these workstations would allow local officials to train and participate in daily CSEPP operations and operate from their offices during a chemical emergency if they could not travel to the county's emergency operations center. According to state EMA officials, they believe procurement and maintenance costs are too high for the county's workstation concept, especially when too many other higher priority projects are not fully funded.

In fiscal year 1995, Army and FEMA officials rejected the workstation concept stating it provides for unnecessary automation countywide. In fiscal year 1996, Calhoun EMA reported that remote stations are required to ensure that daily operations are carried out and to increase the county's preparedness, response, and recovery capabilities. Army and FEMA officials again rejected the funding, stating that the other local agencies could provide data to Calhoun EMA's data entry clerk for input to the county's information system. According to Calhoun EMA officials, this would be difficult because the agency's one data entry clerk is already overworked.

Requirement for Additional Projectors

FEMA funded six screens for Calhoun County's operations center, but only three projectors. According to Calhoun EMA officials, three projectors are not enough during a chemical emergency. In addition, county officials said the current projectors need to be replaced because of the inadequate funding allocated for repair and maintenance. The projectors are operated daily and have more than 4,000 hours of use, compared with the recommended maximum of 1,700 hours.

In fiscal year 1995, FEMA and Alabama EMA officials said Calhoun County's request for three additional projectors was not adequately justified. FEMA officials concluded that the county already has the required number of projectors. In fiscal year 1996, state officials changed their position and agreed with the county's request for three new projectors if the county

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traded in the used ones. However, FEMA still rejected Calhoun's request for funds. FEMA officials recommended that the existing projectors be used in moderation (not daily) and adequately maintained. In addition, FEMA officials said funding the county's six screens was an oversight on their part and only three screens were necessary. In response, Calhoun EMA officials said their county has the greatest response requirement of any other county and therefore, requires a greater number of spatial displays.

Requirements for Backup Server and Optical Jukebox

According to Calhoun County EMA officials, a backup server is required in case the primary server crashes. Calhoun EMA documents indicate that the primary server has crashed or locked up several times and that on one occasion, the server was down for about a month. In fiscal years 1995 and 1996, the state EMA concurred with the county's requests for a backup server on the basis of program guidance. FEMA officials rejected the requests stating that Alabama EMA, Anniston Army Depot, or Talladega County would have servers attached to their areawide network, which could serve as backups. However, according to Calhoun EMA officials, if the county server goes down, they cannot hook up to other servers at the state EMA, Anniston, or Talladega County. In addition, Calhoun County officials said the other servers cannot perform as Calhoun's backup because the other automated systems do not have the county's requirements or databases.

Calhoun EMA officials told us that other required automated data processing items are also unfunded or partially funded. For example, the county EMA requested \$63,000 for an optical jukebox to provide on-line mass data backup and storage. However, FEMA and state EMA officials rejected the quoted price stating that the county could use less expensive storage equipment. As a result, FEMA allocated Calhoun County \$24,000 for the optical jukebox on December 13, 1995. However, according to county officials, their initial request was based on a vendor's quoted price for the item and federal officials did not seem to understand that the county could not purchase the item with less money.

Lack of Complete Planning Guidance

Although Army and FEMA officials originally planned to complete all CSEPP planning guidance and standards by September 1989, planning guidance for emergency medical services, reentry, and restoration procedures remains uncompleted. As a result, local communities lack formal guidance to help them prepare their plans and determine their requirements for

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these emergency response issues. According to FEMA officials, the guidance is scheduled to be issued mid-1996.

On June 27, 1995, the Centers for Disease Control and Prevention published in the Federal Register its recommendations for medical preparedness guidelines for communities near the chemical stockpile storage sites. The Army reported that the recommendations were available to all locations for use. According to FEMA, the guidance has been distributed in draft form pending resolution of outstanding issues. The agency concluded that the outstanding issues should not preclude the states and counties from using the drafts for daily planning. However, Calhoun County EMA and other CSEPP participants do not consider FEMA's drafts as final planning guidance.

Comments From the Department of Defense

Note: GAO comments supplementing those in the report text appear at the end of this appendix.

<p>See comment 1.</p>	<div style="text-align: center;">  <p>ASSISTANT TO THE SECRETARY OF DEFENSE 3050 DEFENSE PENTAGON WASHINGTON, DC 20301-3050</p>  <p>ATOMIC ENERGY</p> </div> <p>Mr. David R. Warren Director, Defense Management Issues National Security and International Affairs Division U.S. General Accounting Office Washington, D.C. 20548</p> <p>Dear Mr. Warren:</p> <p>This is the Department of Defense (DoD) response to the General Accounting Office (GAO) Draft Report, "CHEMICAL WEAPONS STOCKPILE: Emergency Preparedness in Alabama is Hampered by Management Weaknesses," dated April 26, 1996 (GAO Code 709180/OSD Case 1141). The DoD partially concurs with the report.</p> <p>The DoD agrees that the lack of progress in implementing the Alabama Chemical Stockpile Emergency Preparedness Program (CSEPP) relates to management weaknesses. However, the DoD does not agree that federal authorities are primarily responsible. The DoD suggests a more balanced assessment that includes the roles of federal, state, and local governments.</p> <p>The DoD further suggests that the draft report reference the statutory language creating the CSEPP program. 50 USC Section 1521(c)(3) states in part that the Secretary of Defense may make grants to state and local governments (either directly or through the Federal Emergency Management Agency) to <u>assist</u> those governments.</p> <p>The DoD also suggests that the intent of the language requires CSEPP funds to be used to enhance existing emergency preparedness and response capabilities and not to create free standing emergency preparedness systems -- systems that would be all encompassing and beyond that envisioned by the Congress to carry out the functions relating to the disposal of chemical agents and munitions. The DoD is aware that Congress has provided limited monies to implement the CSEPP Program.</p>
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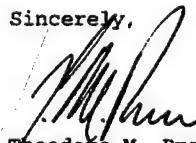
Appendix IV
Comments From the Department of Defense

It should be further noted that per OMB Circular A-102 and DoD 7220.9-M, the DoD can provide performance objectives and make recommendations to grantees on the disbursement of grant funds but is limited in requesting expenditure reports and enforcing compliance regarding specific use and execution of these funds by state and local authorities.

The DoD in the past 18 months has made several changes and improvements to the CSEPP Program based on the observations and recommendation of earlier GAO reports.

The Department of Defense appreciates the opportunity to comment on the draft report.

Sincerely,



Theodore M. Prociv
Deputy for Chemical/Biological
Matters

See comment 2.

The following are GAO's comments on the letter from the Office of the Assistant to the Secretary of Defense for Atomic Energy. The letter was received on May 28, 1996.

GAO Comments

1. It was not our intent in our draft report to leave the impression that the delay in Alabama's CSEPP was solely the result of management weaknesses at the federal level. We have revised the final report to eliminate the reference to primarily and to more clearly attribute the lack of progress to federal management weaknesses and actions by state and local agencies. It is important to note that the problems experienced in Alabama's CSEPP are likely to continue until an effective approach is developed for reaching timely agreements among federal, state, and local officials on specific requirements for projects.
2. In the draft of this report, we stated that the Army had taken some encouraging steps to improve the management and oversight of the Chemical Stockpile Disposal Program. For example, the Army restructured the overall management of CSEPP and established a centralized office to streamline procedures, improve responsiveness to the states and counties, and improved the budget process. However, we found little evidence that these steps had any significant effect on the federal management of CSEPP in Alabama. For example, during this review, we found that records on expenditure data are limited; allocation data differ among FEMA, Alabama EMA, and county EMAS; and FEMA maintains large unexpended balances of funds for Alabama and Calhoun County.

Comments From the Federal Emergency Management Agency

Note: GAO comments supplementing those in the report text appear at the end of this appendix.



Federal Emergency Management Agency Washington, D.C. 20472

MAY 29 1996

The Honorable Charles A. Bowsher
Comptroller General
U.S. General Accounting Office
441 G. Street, N.W.
Washington, DC 20548

Dear Mr. Bowsher:

Mr. David R. Warren, Director of the National Security & International Affairs Division in the U.S. General Accounting Office (GAO), recently provided me with a copy of a draft report prepared by his office entitled **Chemical Weapons Stockpile: Emergency Preparedness in Alabama is Hindered by Management Weaknesses**. As always, we appreciate the role that GAO plays in assisting us in identifying problems in program implementation and in recommending possible solutions and/or corrective actions. In the past, we have used GAO observations to make significant program improvements.

Under normal circumstances, my comments would be directed to Mr. Warren as the manager of the Division responsible for this particular report. However, because our Agency has serious concerns about the conclusions and tone of the subject report, we are taking the liberty of responding directly to you in an attempt to set the record straight.

The Chemical Stockpile Emergency Preparedness Program (CSEPP) is a very challenging program. As a result, there have been problems in its execution. FEMA is fully prepared to accept criticism where justified and take measures to correct problems within our purview. We cannot, however, in good faith, accept unfair criticism of this Agency or its management of the CSEPP when a report focuses on assertions by local government with (1) no effort made to incorporate information supporting FEMA actions and (2) no blame assigned to Calhoun County despite the documentation in the draft report itself of problems resulting from the County's refusal to perform work until all of its demands were met. Additionally we are concerned with all problems being attributed to "Federal mismanagement" when both the State and Calhoun County clearly share responsibility for many of the delays.

See comment 1.

Appendix V
Comments From the Federal Emergency
Management Agency

The Honorable Charles A. Bowsher
Page 2

Throughout the first 20 pages of the report, FEMA is held accountable for a variety of wrongdoing in the CSEPP which has allegedly left Alabama, and Calhoun County in particular, unprepared to meet the threat. However, the enclosed matrix and detailed response to the report demonstrate a clear pattern of behavior on the part of Calhoun County that has not been conducive to conducting this program in partnership. Despite FEMA's excellent working relationship with the State of Alabama in all other emergency management program areas, FEMA, the State, and the other Alabama counties involved, have been caught in the crossfire of Calhoun County's escalating demands for elaborate systems and additional funds. In some instances the County's refusal to reduce or negotiate their demands has also delayed acquisition of equipment by other stakeholder counties.

Acceptable audit practices require that both sides of an issue be fairly presented in order to support conclusions. There is little hope of correcting the deficiencies in Calhoun County's implementation of this program if the county is led to believe that the Federal Government alone is responsible for all problems, especially when the preponderance of the evidence demonstrates that there are serious issues with the county's performance. The apparent unevenness of this report is a disservice not only to FEMA and the Federal Government, but also to the State of Alabama, and the other stakeholder counties.

FEMA staff has prepared a detailed summary of responses to the various assertions contained in the draft report. We believe you will agree that the information clearly reveals and documents a much broader series of difficulties with regard to the county than the draft report currently implies. In those areas where we agree that there have been problems that require correction, we have demonstrated our acceptance of the recommendation and our assurance to resolve the problem. However, the report should also address all of the difficulties arising from Calhoun County's apparent refusal to work closely with its sister counties, Alabama EMA, the Department of the Army and the Anniston Army depot, or FEMA to provide the required protection in the most cost effective way possible.

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Comments From the Federal Emergency
Management Agency

The Honorable Charles A. Bowsher
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We regret having to raise this issue to you, however, the imbalance in the report requires resolution. Congress should have an accurate analysis to use in its deliberations regarding future funding, policy initiatives, and public safety and security.

If you have any questions, please do not hesitate to call me at (202) 646-3487.

Sincerely,

Kay C. Goss

Kay C. Goss
Associate Director for Preparedness
Training, and Exercises

cc: David Warren

Appendix V
Comments From the Federal Emergency
Management Agency

FEMA'S COMMENTS
ON CONCLUSIONS CONTAINED IN THE
DRAFT GAO REPORT ENTITLED
CHEMICAL WEAPONS STOCKPILE:
EMERGENCY PREPAREDNESS IN ALABAMA IS HAMPERED BY
MANAGEMENT WEAKNESSES

INTRODUCTION

Audit reports are invaluable in identifying problems that need correction; however, they can be detrimental if they incorrectly identify the causes of problems. The Federal Emergency Management Agency (FEMA) is very concerned about the incorrect identification of the origins and underlying causes of the problems addressed in this draft report, not because the Agency considers itself to be without fault but because it cannot correct problems over which it does not have authority and/or control. In addition, if entities who contribute to program delays are held blameless, their pattern of uncooperation is reinforced and problems are unlikely to be resolved.

The most egregious errors in this report are precisely related to the assignment of responsibility for problems in the implementation of the Chemical Stockpile Emergency Preparedness Program (CSEPP). It is unacceptable for an audit report to state that, "The lack of progress in Alabama's CSEPP is primarily the result of management weaknesses at the Federal level...," when, in point of fact, the supporting documentation contained in the report itself illustrates that many of the problems resulted from county or state actions.

At the outset of his Administration, President Clinton endorsed the formation and use of *partnerships* among the Federal, State, and local governments in the development and implementation of programs. While recognizing that we have not always been successful in this endeavor in the past, we also recognize that partnership, if it is to be effective, is a two-way street. Although our working relationship with Alabama EMA has been very positive, we consistently encountered demands by Calhoun County EMA that FEMA or the Army simply approve every proposal made by the County without regard to fiscal responsibility, the legitimacy of the request, or the necessity of the items being requested.

We do not dispute that there have been long-term concerns regarding the effectiveness of CSEPP's partnership; however, it is frustrating for FEMA or the Army to work with a County government that:

- consistently and grossly expands requirements without adequate justification in attempting to build a *gold-plated* program at the expense of Federal taxpayers (e.g., excessive and duplicative automation equipment -- see pages 46 - 50 of the draft GAO report);

See comment 2.

Now on pp. 41-43.

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- fails to acknowledge the role of the State of Alabama in the implementation of this program (e.g., its refusal to use appropriate channels of communication to resolve issues -- see page 13 of the draft GAO report);
- frequently refuses to negotiate either with the State, Federal, or counterpart local jurisdictions in matters of common interest and/or reneges on agreements once they have been reached (e.g., quantity and distribution of 800 MHz communications equipment -- see page 23 of the draft GAO report);
- refuses to initiate contracts or undertake work projects unless both the Federal and State governments have agreed to its complete demands (e.g., refusal to overpressurize authorized facilities -- see page 9 of the draft GAO report); and
- refuses to share equipment designated for use by other local jurisdictions (e.g., retention of the siren controller intended for depot use -- see page 22 of the draft GAO report).

Now on p. 10.

Now on pp. 17-18.

Now on pp. 7-8.

Now on pp. 17-18.

To simply lay the blame on Federal mismanagement, without addressing the issue of the County's own responsibility for problems and delays is counterproductive and does not serve the best interests of any of the organizations involved.

Both the Army and FEMA have fiduciary responsibility to ensure that resources are used appropriately, wisely, and carefully -- a responsibility FEMA takes quite seriously. Throughout its history, CSEPP has received an extraordinary degree of GAO and Congressional oversight. Such scrutiny invariably results in stricter program management and a higher degree of interest in the costs and expected benefits of requested projects, not a lessening of controls. However, this year's report is quite unlike the past reports of GAO in that the report criticizes FEMA's efforts to protect taxpayer dollars -- including those controls instituted in response to GAO concerns.

As the GAO's 1995 report attests, FEMA and the Army have a responsibility to the taxpayers to soundly manage the program. In 1995, the Army redesignated CSEPP as an Acquisition Category 1 (ACAT 1) program to better oversee its financial side. In addition, FEMA worked diligently with the States, as recommended by GAO, to account for all unobligated funds prior to issuing FY 95 allocations. These actions demonstrate our commitment to proper financial management.

Too often, and here in particular, effective and careful financial supervision has been confused with micromanagement. It is nearly

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impossible to determine precisely what balance GAO is expecting FEMA to achieve by calling for continued tight financial management practices while, at the same time, criticizing FEMA for micromanagement when it denies funding requests that lack adequate justification or appear to exceed programmatic requirements.

Clearly, a balance must be struck between sufficient oversight and desired flexibility. We believe FEMA has effectively struck that balance. However, since this report indicated that GAO disagrees, we would appreciate specific guidance as to how best to strike this balance. With these factors in mind, we have prepared the following information in response to the findings and conclusions contained in the GAO draft report.

BACKGROUND

The objectives of the GAO report requested by Representative Glen Browder of Alabama were to assess (1) the funding and status of CSEPP in Alabama and Calhoun County; (2) the impact of Federal, State and local management on Alabama's program; and (3) Calhoun County's opposition to the chemical stockpile disposal facility that the Army plans to build at the Anniston Army Depot.

We concur with Representative Browder that these are critical issues of concern that required review to determine the impediments to progress and supported the GAO throughout the conduct of its audit. We were, however, very concerned to discover that:

- (1) the findings included in the draft report lay blame almost exclusively on Federal program management, apparently ignoring evidence throughout the report that indicates that there are problems at all levels of the program;
- (2) the findings in the report are based primarily on assertions by local officials (Calhoun County) regarding Federal management of the program, without acknowledging Federal and State efforts to correct problems at the County level;

Finally, we are concerned that inaccuracies in this report will adversely impact recommendations and conclusions in a subsequent, more comprehensive, GAO report.

While we will be providing specific comments on each item in the draft report, we would like to cite some of the discrepancies in the initial findings laid out in the beginning of the draft since they are indicative of the problems noted above.

GENERAL

The Chemical Stockpile Emergency Preparedness Program is unique in the Federal Government in that it is managed cooperatively by the

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U.S. Department of the Army and FEMA. The Army has direct responsibility for chemical demilitarization efforts on-site. Because of its long history of working with the States in the development of a State and local emergency management infrastructure capable of responding to any disaster or emergency, FEMA has been given responsibility for working with the concerned States and communities to provide maximum protection to all citizens who live near the chemical weapons sites. There are, however, four primary issues that contribute to many of the difficulties encountered in the program.

Issue 1 -- Technical Complexity

The CSEPP involves preparedness activities associated with the storage and destruction of lethal military chemical weapons and hence, is a very sensitive program at all levels of government. Unlike our other emergency management programs, preparedness planning for the full range of possibilities surrounding the destruction of chemical weapons has involved the charting of entirely new policies, directions, goals and objectives. While some aspects of emergency management preparedness and planning are certainly relevant to any emergency, the unique aspects of the storage and disposal of chemical agents has presented and continues to present both the Army and FEMA with unprecedented challenges.

Issue 2 -- Interpretation of Congressional Requirement for "Maximum Protection"

In Public Law 99-145, the *Department of Defense Authorization Act of 1986*, Congress addressed the destruction of the existing stockpile of lethal chemical agents and munitions and directed the Secretary of Defense to provide for *maximum protection for the environment, the general public, and the personnel who are involved in the destruction of the lethal chemical agents and munitions...* While we certainly understand Congressional intent in underscoring the need for *maximum protection*, the definition of the term itself has never been clarified. This has resulted in significant confusion at all levels of government as to the best, most effective way to achieve *maximum protection* and has resulted in increased costs to implement this preparedness program.

The Federal Government, operating under recent requirements to "do more with less," is attempting to balance the availability of more limited resources against the desires of communities who use the goal of *maximum protection* as a basis for demanding elaborate projects of unlimited cost. The attempt to meet this Congressional mandate has been an inherent source of intergovernmental friction and frustration within the program.

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Issue 3 -- State Primacy

One of the primary reasons that FEMA was requested to assist the Army in off-site preparedness activities was directly related to FEMA's long history of working with State governments in the development and implementation of an emergency management infrastructure and the day-to-day management of emergency management programs. The Department of the Army did not have either the expertise or experience in these areas.

Because FEMA historically has worked directly with the States, as noted above, it was agreed at the outset that FEMA would continue to do so. Federal initiatives to deal with local emergency management agencies would diminish the Governor's legal role in assuring the safety of its citizenry and interfere with internal State politics and practices. Furthermore, the State is in the best position to determine priorities on a statewide basis and to balance local requirements against the needs of all impacted counties. Were FEMA to work directly with local governments, it would reduce the potential for sound coordination between State and local emergency management officials in the event of an actual emergency.

Issue 4 -- State/Local Confusion on FEMA's All-Hazard Mission vs. Program-Specific CSEPP Requirements

Because of the differences in the CSEPP from other emergency management programs with which the States and FEMA are familiar, it was clear at the outset that there was a critical need to define the responsibilities of each Department and agency and level of government. This was primarily in response to State and local concerns that the uniqueness of a Federal program managed jointly by two separate Departments/agencies required a "roadmap" to clarify policy issues, reporting channels, etc.

We have found that part of the difficulty that State and local governments have encountered with the CSEPP is that it has specific requirements and is more narrowly targeted than any of the other emergency management programs managed by FEMA.

Funds for other FEMA-funded emergency management programs are generally considered to be all hazard and can, for the most part, be used by State and local governments to meet needs identified by them, not by the Federal Government. Defense-based CSEPP funds, as noted below, have historically been accounted for and managed by the Federal Government. CSEPP is, as a result, anomalous to other FEMA programs. As the Agency has been moving towards devolution of responsibility to State and local governments by removing Federal restrictions on funding and limiting prescriptive requirements, CSEPP has been moving towards improved accountability on a fast

timetable -- largely as a result of calls by Congress and the GAO for stricter controls.

For example, the General Accounting Office has recommended that FEMA not include CSEPP in the annual Cooperative Agreement, the primary vehicle through which FEMA passes grant money to the States. The States, however, have repeatedly requested that FEMA incorporate CSEPP in the Cooperative Agreements so that it can be managed as other emergency management programs. FEMA is caught between GAO requirements, the comments of Congress, and State needs that cannot be reconciled.

The devolution of responsibility of implementing preparedness in the CSEPP is that it involves the use of national defense funds, which are historically accounted for and managed by the Federal Government. This, coupled with the Congressional requirement for maximum protection and understandable concerns at the State and local levels regarding the possible lethal impact of the destruction of chemical weapons, has left the Army and FEMA trying to find a balance between the requirement for fiscal responsibility versus the need to provide maximum protection.

We are providing this brief historical perspective and summary of problems in order to clarify why we are concerned about the contents and conclusions of this particular report.

AREAS REQUIRING CORRECTION

The conclusions expressed in the section entitled *Results in Brief* inaccurately reflect the current situation with respect to the progress of the CSEPP in Calhoun County and Alabama. Of particular concern is the fact that the conclusions do not accurately reflect the findings in the latter parts of the draft, examples of which are noted below:

Statement in GAO Draft:

Alabama and six counties have not spent \$30.5 million, 66.4 percent of the \$46 million allocated to enhance emergency preparedness. The unexpended funds are associated primarily with the following four projects for which federal, state and local officials have not agreed on specific requirements:

1. *a statewide 800 megahertz emergency communications system;*
2. *equipment and supplies to protect public buildings (including schools and hospitals);*
3. *indoor alert and notification devices for public buildings and homes; and*

4. personal protective equipment for emergency workers.

As noted immediately below, the GAO report identifies the unexpended funds as being "primarily the result of management weaknesses at the federal level." In what appears to be almost an afterthought, the same sentence is concluded by stating that "although State and local actions have impeded progress."

Details of the four listed subject areas are contained in the attached matrix; however, the following brief summaries clearly demonstrate that the actions of Calhoun County account for most of the delays.

1. A statewide 800 megahertz (MHz) emergency communications system.

The State of Alabama has concurred in the system as approved by FEMA. More than \$16 million has been provided by FEMA to Alabama EMA to fund the system, but Calhoun County EMA, which has responsibility for awarding and managing the contract, has failed to do so because it believes that another 466 radios are required and is challenging the placement of a repeater site in Talledega County.

Even local newspapers in the area do not support the Calhoun County EMA on this issue and are calling for movement instead of the stalling tactics that are being employed by Calhoun County EMA, i.e., they will perform no work on any project until they receive approval of all items that have been requested. Calhoun County has since relented on this decision by informing Motorola that they would, in fact, implement the contract.

On April 25, 1996, after the county, State and FEMA adjusted the Calhoun County request up by 86 radios, Mr. James Downing, Chairman of the Calhoun County Commission, notified Motorola of the County's intent to implement the contract, thereby closing debate on the radio contract.

2. Equipment and supplies to protect public buildings (including schools and hospitals).

Calhoun County is the only one of the 39 counties participating in the CSEPP that has demanded a multi-layered high cost (over \$130 million) collective protection system. The other 38 counties are adhering to the Army's guidelines for evacuation protection and shelter-in-place.

Alabama officials believe that more research and data are needed before the State can make a decision on the extent of Calhoun County's proposal for collective protection. Such studies are underway.

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However, it was then acknowledged that certain facilities near the depot would require pressurization. FEMA allocated \$4.2 million to Alabama in September 1995 for positive pressurization projects in Calhoun County as a conservative approach to a known, but not fully defined, need.

Calhoun County apparently does not believe that \$4.2 million is adequate since the project they envision would total \$67.6 million, or 16 times the amount of the FEMA funding for this project.

Calhoun County submitted a numbered list of 55 facilities. FEMA approved 21 of the facilities for positive pressurization. Calhoun County has never requested formal reconsideration of any of the facilities approved through either the Alabama EMA, FEMA Region IV, the Army, or FEMA Headquarters. Nevertheless, the County complained to the General Account Office that five of the facilities are not ones that they would consider to be priority. Had Alabama EMA, FEMA Region IV or FEMA Headquarters or the Army been made aware of the County's concerns, the issue could have been addressed; however, Calhoun County chose to discuss it with the General Accounting Office rather than requesting reconsideration through the program.

Despite the provision of funds and the approval of facilities as submitted by Calhoun County, no work has been initiated for eight months by Calhoun County on this project.

3. Indoor alert and notification devices for public buildings and homes.

FEMA agrees that we have placed a requirement associated with completion of the demographics survey on both the State and Calhoun County EMA with regard to this project. However, given the magnitude of the potential need and the area to be covered, the requirement was considered to be reasonable since FEMA wanted to avoid a significant expenditure of funds and placement of Federally funded resources without adequate justification and a substantiated need.

A total of \$4.3 million for this project was allocated in fiscal year 1993 with the proviso that the funds could not be spent until such time as a demographics survey had been completed to determine the number of residences and placement within institutions needing the radios before they are purchased and installed. As the situation proceeded, we were continually advised that the State was working the issue and that no Federal intervention was necessary.

Alabama EMA was unable to contract for the demographics study for over 2 years. Late last year, Alabama EMA requested

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assistance from FEMA in this regard. At FEMA's request, Argonne National Laboratory has submitted a proposal for the conduct of the demographics survey; however, Calhoun County EMA initially refused to agree with the Argonne proposal for a variety of reasons. Although Calhoun County EMA's objections have since been resolved, they only resulted in additional delays beyond those already encountered. Throughout the entire period, Calhoun County requested duplicate funds to do "their own" demographic survey as well as constantly disagreeing with the State about the project design.

Even had the demographics survey been completed and the Tone Alert Radios installed, the system would have been inoperable because it cannot be activated without a functional 800 MHz communication system. However, the 800 MHz system is not in place because Calhoun County EMA has refused to initiate work on the 800 MHz contract until its total demand for radios has been agreed to by FEMA. If Calhoun County had held to the 1993 Federal-State-county agreement on the 800 MHz program scope, much of the delay would not have been encountered.

4. Personal Protective Equipment (PPE) for emergency workers.

States and counties were polled in FY 1995 when funds became available for this project in order to determine their basic PPE needs. FEMA provided \$850,000 in FY 1995, to meet the baseline needs identified by the State as necessary to fill the requirements of the State and of the counties.

FEMA does not dispute that it provided funds with stipulations. FEMA allocated the monies to Alabama EMA for PPE with the proviso that the Agency was not authorized to purchase the equipment until the Occupational Safety and Health Administration (OSHA) completed its evaluation of approved non-Army equipment for use by responders, thereby providing more options for State/local government.

OSHA provided its approval at the end of 1995; however, Calhoun County EMA now insists that the funds are inadequate to cover the total number of ensembles required. This is because Calhoun County EMA has doubled the number of ensembles requested from its original baseline.

There is nothing preventing Calhoun County from purchasing the baseline equipment since that has already been approved; however, County officials once again have decided not to initiate work until their total demand has been approved. Rather than purchase the baseline equipment and have it available for local emergency responders in case of an incident, the County prefers to defer action until the more than 100 percent increase in its request has been decided.

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In each of these examples, the GAO ignores the extenuating circumstances and places the blame entirely on the Federal Government.

Issue 1:

Page 2 -- Almost 45% of the CSEPP expenditures have been for federal management and contracts.

Response:

Now on p. 2. See comment 3.

This statement is untrue.

This statement implies that just under 50 percent of the funds appropriated to date have been used for Federal management instead of direct support to the State and local jurisdictions participating in the CSEPP. It totally disregards the well documented fact that funds have been used at the Federal level to (1) ensure on-site preparedness; (2) support programmatic oversight; and (3) provide contract support for the entire program.

Of the 44.9% of funds appropriated for federal management (GAO's term), FEMA's award amounted to \$37.08 million, or 10.58%. Of this latter amount, \$28.5 million (76.9%) was used for contracts which supported the CSEPP community as a whole, e.g., development of program guidance, training courses, and software such as the Protective Action Dose Reduction Estimator (PADRE) model.

Less than 25% of FEMA's funding was spent on salaries and expenses. It is, therefore, incorrect to state that these funds have been used for Federal "management".

As was acknowledged in a previous GAO audit, CSEPP funds have been effectively allocated toward program priorities by FEMA. (See, *CHEMICAL WEAPONS: Army's Emergency Preparedness Program Has Financial Management Weaknesses*, (GAO/NSIAD-95-94, March 1995).)

Issue 2:

Page 6 -- Alabama and six counties have not spent most CSEPP funds.

Response:

Now on pp. 4-5. See comment 4.

FEMA concurs with the assertion but disagrees with the contention that it is based on Federal mismanagement or micromanagement. The draft report makes no correlation between the unforeseen difficulties that the State of Alabama has encountered with contracting or Calhoun County's refusal to initiate work projects until FEMA has met all of its demands. If the draft report ignores the reasons why the funds have not been expended, no corrective

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actions can be taken because the parties involved will remain unaware that there has been a problem.

For the most part, failure to expend funds on necessary emergency management equipment is based on Calhoun County's pattern of refusing to initiate action on a CSEPP project until FEMA and the Army have acceded to all of the County's demands. For example, FEMA had agreed to the placement of 1,508 radios to fully accommodate the public safety agencies in the county, and even to provide command and control links to county public service support agencies. However, Calhoun County repeatedly refused to contract for those authorized radios because of others in dispute. As another example, "[Calhoun] county officials are reluctant to accept the [\$4.2 million] allocation [for overpressurization] because they disagree with FEMA's selection of facilities and funding amount" (Page 9).

Issue 3:

Page 7 -- FEMA and local officials disagree on aspects of the 800 MHz communications system.

Now on pp. 5-6.

See comment 5.

Response:

Disagreements over the magnitude of the communications system were resolved in 1993. Since that time, the County has continued to delay the purchase of the authorized system, hindering its own emergency response capabilities, as well as those of the State and Talladega County.

In a February 1993 meeting, held between FEMA and representatives of the State of Alabama and the State's CSEPP counties, the parties reached an agreement that the 800 MHz communications system would be authorized and funded for the command and control elements of public safety agencies. Command and control elements include the individual with authority to provide central management of the community's emergency response and other parties that support the management function by providing advice and information.

Since that time, Calhoun County has failed to follow through with the 1993 agreement to place radios with public safety personnel and continually presses to go beyond reasonable command and control requirements. For example, County requests for radios for its tax assessors, water works personnel and district attorneys have each had to be rejected as inconsistent with command and control needs.

All of Calhoun County's paid police, fire, and rescue agencies in the IRZ were authorized (per Calhoun County EMA's request) 800 MHz radios, as were all other Calhoun County jurisdictions' paid police, fire, and rescue agencies. FEMA also authorized all of the requested 800 MHz radios for all volunteer fire departments in

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Calhoun County. These authorizations total one thousand, one hundred eighty-seven 800 MHz radios.

An additional 321 800 MHz radios were authorized, including radios for all requested city and county buses, and 800 MHz base radios for Calhoun County's public service agencies (which include road and street departments, public works agencies, water authorities, and boards of education, for connectivity purposes into their existing communications systems).

FEMA did not support the wholesale placement of 800 MHz radios in private, public service, and administrative organizations. To do so would have violated the Congressional instruction that CSEPP funds be used only to enhance existing capabilities, not to replace State and local responsibility.

The County's failure to purchase the system in the subsequent three years is directly attributable to their insistence on developing a system in excess of CSEPP requirements paid for by congressionally appropriated funds.

Placement of a second repeater tower in Talladega County was necessary to ensure adequate coverage for county public safety personnel responding in the IRZ. If the repeater tower had not been placed in Talladega County, Talladega's public safety communications would have been required to operate on a dual system which could have led to considerable confusion. The decision was made to grant the waiver in order to meet necessary CSEPP response requirements.

A study conducted by Calhoun County's proposed contractor found that signals emanating from a repeater located on the northern edge of Talladega County were interfered with by surrounding terrain preventing adequate coverage of the area for its public safety personnel.

Placement of the second repeater tower in Talladega County was approved to meet the needs of the responders in that county. Without the second repeater site, the Talladega County Emergency Management Agency Director would be unable to marshal necessary resources to support its own IRZ and potential Calhoun County evacuees in the event of a chemical incident.

Thus, in this instance, FEMA agreed to support a project that exceeded the letter of the guidance because the realities of the situation dictated a different, operationally sound, solution, not simple adherence to guidance.

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Issue 4:

Now on pp. 7-8.

See comment 6.

Page 8 -- Calhoun EMA disagrees with FEMA's selection of facilities for collective protection.

Response:

FEMA concurs with the statement but strongly disagrees that the problem is the result of FEMA "micromanagement."

The County's collective protection request exceeds \$67 million. FEMA and the Department of the Army are justified in strictly scrutinizing the County's proposal when such seemingly excessive requests are received. To fail to do so would be to fail in our respective fiduciary responsibilities.

The technical study, *Evaluating Protective Actions for Chemical Agent Emergencies* (Rogers et al, 1990) concluded that evacuation provides maximum protection whenever it can be completed before arrival of the toxic plume. Thus, Appendix D (Planning Guidelines for Protective Action Decision Making) of the *Planning Guidance for the Chemical Stockpile Emergency Preparedness Program* (July 6, 1994) designates evacuation as the preferred protective action whenever it can be completed in time.

Liquid agent deposition and expedient sheltering studies are being conducted by the Army. These studies, which are expected to soon be completed, will determine infiltration rates of agent into various housing stock determining the protectiveness of a variety of housing types and materials.

Calhoun County's CSEPP budget contains an extraordinarily elaborate request for collective protection. As noted in the report, Calhoun County argues it will require \$67 million (\$16 million for building protection sites and \$51.6 million for community shelters) to meet its collective protection needs.

These requests seem extreme, especially in the absence of completed Evacuation Time Estimate studies delayed at the State and local level.

Despite the absence of the aforementioned studies, FEMA recognized the need for protection of special facilities and, utilizing limited available FY 1995 funds, authorized the overpressurization of 21 publicly owned and managed facilities in Calhoun County zones contiguous to the depot. The authorized facilities were selected from Calhoun County's own list and the specific facilities and an explanation of the funding amount was verbally coordinated with a Calhoun County staff member prior to authorization.

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To date, neither the State, FEMA Region IV, nor FEMA Headquarters have received a formal rebuttal or request from Calhoun County to modify this authorization.

Calhoun County's "reluctance" to accept the \$4.2 million already allocated for overpressurization is not the result of "Federal mismanagement" but is a tactic often used by the County, including not doing anything until all of its demands have been met. However, neither FEMA nor the Department of the Army have been given authorization by Congress to simply rubber stamp requests without any review, nor do we believe that this would be consistent with fair and equitable use of Federal taxpayers dollars. We do not believe it is an appropriate action by the county to hold up these protection projects until Congress appropriates more funds for their projects.

Issue 5:

Page 11 -- FEMA has delayed funding for Personal Protective Equipment.

Response:

This statement implies that FEMA has delayed funding for Personal Protective Equipment (PPE) without a valid reason. The facts simply do not support that conclusion.

Delays in the County's receipt of Personal Protective Equipment were caused in part by early prohibitions against using military issue protective equipment in the civilian sector without prior Occupational Safety and Health Administration (OSHA) approval. That concurrence was not obtained until late 1995 inasmuch as it took some time before OSHA could finalize the extensive analysis work that was required for such approval.

There has been extensive attention paid to the issue of PPE practically from the inception of the CSEPP inasmuch as safety of all individuals is a paramount concern. The following summary provides a brief explanation of the numerous efforts that have been made to resolve this issue and, at the same time, be responsive to the needs of State and/or local governments.

1989-91: Extensive discussions were underway by program managers to set the scope and policies of the CSEPP. PPE was considered a significant element but only for increasing the margin of safety of off-post responders if they were inadvertently caught in a plume.

The CSEPP policy is (a) not to send civilian emergency responders into a plume deposition area, and (b) through the use of plume projection models, responders would be

Now on p. 9.

See comment 7.

warned away from the area of projected plume passage. A major effort was underway to establish deposition studies for the depots. It was expected that off-site civilian emergency responders would use Army provided Battle Dress Overgarments (BDO), including masks, hoods, boots, gloves, aprons, etc.

However, OSHA approval of Army BDO was necessary before military issue materials could be used by the civilian CSEPP community. Additionally, it was assumed that Army BDOs could be provided to the off-post CSEPP community. Unfortunately, the BDOs were only approved for military use. This limited approval prevented their use by civilians without permission by OSHA.

1992: A determination was made by Federal Departments and agencies, led by OSHA, that the military chemical agent mask was not suitable for all personnel in the civilian sector. The primary objection was that it did not provide adequate air flow to meet the needs of the wide variety of persons who could be expected to use it since it is primarily designed for physically fit military personnel.

1992-94: Testing of four masks was initiated within the civilian sector agencies (the National Institute for Occupational Safety and Health [NIOSH], OSHA, and the Centers for Disease Control and Prevention [CDC]) by the Army.

Independent testing of the organic canisters of the four recommended commercially available Powered Air Purifying Respirators (PAPR) was completed in December 1993.

The initial Army chemical agent deposition study was completed in December 1993. Argonne National Laboratory (ANL) conducted an additional study based on recommendations by an independent review committee. The results indicated that, in extreme scenario situations, it is possible to have chemical agent deposition off the Army depot.

A suitable approach was identified to protecting civilian emergency workers performing specified response duties in the event of a chemical stockpile agent accident/incident that effects the off-post communities. It involved the use of specific equipment and adherence to work rules. Representatives from CSEPP States, local governments and Army installations were briefed on this approach at the CSEPP National Conference in July 1994.

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A technical report on PPE for civilian responders was distributed in August 1994. This report incorporated the information contained in the deposition study and an analysis of the capabilities of available PPE. The report recommended a PPE ensemble for civilian emergency workers that consists of available Army chemical protective equipment and a commercially available PAPR whose canister passed agent testing. It further identified basic work rules to ensure worker protection. The recommended Personal Protective Equipment ensemble can be procured through the Department of Defense Logistics System.

The Acting Director of CDC/National Center for Environmental Health, in consultation with NIOSH and OSHA, and subject to any future analysis or testing that may be appropriate, concluded that use of the recommended PPE ensemble in the CSEPP "represents a prudent approach to resolving the PPE selection issue."

1995: In March, Utah civilian agencies stated they wanted commercially available equipment; however, only limited testing of commercial equipment had been done. The Army, in an effort to demonstrate partnership, initiated intense testing of civilian selected equipment in government labs.

In June, OSHA provided a letter to the Department of the Army stating the adequacy of certain commercial equipment.

In July, funding was allocated by FEMA to the CSEPP States for the purchase of Personal Protective Equipment; however, there was a request that the purchases be delayed until all specifications were finalized on equipment, procurement process and future testing.

In November, the Department of the Army notified FEMA of additional suit qualification information.

In December 1995, FEMA notified CSEPP States of the procurement options and requested that order information be submitted by February 1, 1996.

Based upon testing completed by OSHA, both the Army BDO and the commercial Kappler Responder® have been approved by OSHA for CSEPP use.

As is noted in the draft report, funding for the purchase of PPE was deferred in FY 1994. PPE funding was provided to the State of Alabama as soon as it was available.

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In August of 1995, the State of Alabama was authorized \$880,000 to purchase sufficient PPE ensembles to cover its basic needs; \$780,000 of this total was specifically identified for Calhoun County.

This funding was based on the State's and County's own quantity requests, and included authorization to purchase 120% of the suits requested. The 20% excess authorized was to be used to purchase suits for training in the appropriate use of the PPE.

The needs assessment cited in the report is a procedure for determining PPE needs above and beyond those funded by the preliminary outlay of funds. It is a Federal management tool to assure cost containment of a potentially costly component of emergency management.

Alabama has on several occasions been verbally informed by FEMA staff that completion of the needs assessment in no way prevents the purchase of the baseline PPE authorized over eight months ago. However, in view of Alabama's belief that "personal protective equipment funding will be withheld pending the outcome of the [needs] assessment", we will follow up with the State in writing.

Issue 6:

Now on p. 10.

Page 12 -- The Army's and FEMA's roles and responsibilities are not well defined.

Response:

See comment 8.

There is a major distinction between a perceived lack of definition and a jurisdiction's refusal to operate within a structure that was developed in partnership between the Federal and State governments. Furthermore, there are unique characteristics to the CSEPP which, unfortunately, Calhoun County has been using in an attempt to gain better advantage.

In addition to the legal and philosophical constraints noted above, CSEPP has a well defined and long established protocol for intergovernmental communications. This protocol was established at the request of the CSEPP States to minimize the receipt of duplicative and potentially conflicting information while assuring a continuing flow of information to all CSEPP parties. Specifically, information flows back and forth along the following chain:

- Army to FEMA Headquarters;
- FEMA Headquarters through the appropriate FEMA Regional Office to the State;

- State to the local community.

The State and local governments also understand the fact that the reporting channels work in the reverse manner, with the local community going to the State, the State to the FEMA Regional Office, and thereon through FEMA Headquarters to the Department of the Army. The fact that Calhoun County prefers to bypass the State in order to achieve its own ends, does not eliminate the existence of a clearly defined set of definitions and roles.

Issue 7:

Page 13 -- Planning Guidance is unclear and incomplete.

Response:

FEMA and the Army have been very aware of the challenges presented by developing planning guidance in a previously uncharted area and recognize that there have been difficulties in meeting the requirements. Nevertheless, all but two of the appendices to the planning guidance have been completed and the two incomplete appendices have been distributed in draft form for some time pending resolution of outstanding issues. This has not precluded any State or county from using the draft appendices for day-to-day planning.

CSEPP emergency management is a steadily improving science. Therefore, the *Planning Guidance for the Chemical Stockpile Emergency Preparedness Program* (July 6, 1994), must contain flexibility to meet the needs of the eight different sites and to integrate technical improvements. Too much precision in the planning guidance would limit CSEPP's ability to change with improvements in technology and keep up with the state-of-the-art in emergency management techniques. Specifically:

- To the extent CSEPP guidance is arguably unclear, such flexibility is necessary to meet the diverse functional, technical and geographic needs of this program.
- Much of the vagueness and lack of clarity in CSEPP results from the "maximum protection" mandate. Drafting programmatic guidance and defining programmatic needs based on differing interpretations of this ill-defined mandate has been a source of contention since the program's inception.
- Other areas of flexibility are included by design to assure that the guidance is pertinent throughout the program despite site-specific variations in chemical agent, weapons configurations, population, terrain and meteorological conditions. If the guidance were too prescriptive it could not be tailored nor

Now on pp. 11-13.

See comment 9.

expected to fit individual needs and differing situations, and improvements in technique or technology.

- Delays in completion of the medical appendix to the CSEPP planning guidance result from the Army requirement to consult with other Federal agencies on medical issues.
- Recovery planning has been delayed by continuing technology gaps in the scientific community.
- Public Law 99-145 requires the Department Of Defense to consult with the Department of Health and Human Services when developing disposal plans. HHS delegated this consultation function to the Centers for Disease Prevention and Control.
- The Centers for Disease Control used this authority to issue medical readiness guidelines.
- *CDC Recommendations for Civilian Communities Near Chemical Weapons Depots; Guidelines for Medical Preparedness* was issued on June 27, 1995 (60 FR 33308). Minor corrections were published July 27, 1995 at 60 FR 38564.
- FEMA and the Army incorporated the CDC Recommendations into Appendix I, *Planning Guidelines for Emergency Medical Services*. On November 1, 1995, Appendix I was sent to the FEMA Regions and comments requested from the Regions and States. These comments (received March 15, 1996) are currently under review for incorporation into the appendix. As recently as May 22, 1996, States were requesting further extensions for comment submission.
- The scientific community has yet to establish "how clean is clean" with respect to chemical agents. Moreover, sampling protocols for porous media and agent control limits for drinking water, soil, and food items remain unfinalized. Until these technology gaps are filled, completion of Appendix M, *Planning Guidelines for Recovery-Phase Activities* is not possible.
- The existence of these technology gaps is not due to lack of interest on the part of the scientific community, but is due to the complex nature of the issues considered. Moreover, as live agent testing is extremely limited, many of the issues considered must be addressed through comparative analyses using agent simulant.
- Despite the existing technology gaps, Appendix M has been out in draft form for the past two years. This guidance allows for decisionmaking notwithstanding the technology deficiencies. For example, Appendix M encourages the development of plans that describe the actions that will be taken in a chemical warfare

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agent is confirmed in soil, water, or other media at control limit versus those that will be taken if the agent concentration is a level marginally below the given control limit. Thus, it is important not to wait for technology to catch up prior to developing at the least, recovery phase plans. Meaningful planning for recovery phase activities can and should take place while outstanding technical issues are being resolved.

- In previous testimony before Congress, FEMA emphasized its commitment to issuing all outstanding CSEPP guidance in final form. Finalization of Appendices I and M remains a FEMA priority.

Issue 8:

Page 15 -- FEMA micromanages local projects.

Response:

This GAO contention has taken FEMA by total surprise because of: (1) the past and present scrutiny by Congress and the GAO which has resulted in FEMA being required to institute stricter controls; (2) the continuing conflict between Congress and the GAO requiring stricter controls and then accusing FEMA of micromanagement when State or local governments complain; and (3) the fact that neither FEMA nor the Army have been authorized to simply *rubber stamp* State or local grant requests but, rather, have been charged with a responsibility to Federal taxpayers by not authorizing unnecessarily elaborate or unreasonable requests.

Due to GAO's previous reports, FEMA has found it necessary to pay even closer attention to State and local budget requests. This strict scrutiny is necessitated by documented examples of improper requests, some even mischaracterized to obscure their true use. For example:

- Calhoun County requested CSEPP funds for yellow blazers, as well as decorative brick and a walk-in freezer for its Emergency Operations Center.
- Calhoun County has repeatedly requested \$3 million to conduct the very same evacuation and demographic studies that the State of Alabama has already received funding to conduct.
- Calhoun County continues to demand funding for a \$700.00 vacuum cleaner, despite the fact that the Federal Government is already funding over \$1,200.00 per month in janitorial services for Calhoun County's Emergency Operations Center. The rationale provided by the County is that there could be a requirement to vacuum in the unlikely event of a CSEPP

Now on pp. 13-14.

See comment 10.

accident, during which time the janitorial staff may not be available to do so.

- The County requested gym equipment under the category of exercises that are to be conducted to test the County's preparedness and response capability by labeling it as "exercise equipment". Admittedly, the description is appropriate; the intended use is absolutely not when Federal taxpayers funds are involved. However, had FEMA personnel not exhibited the appropriate degree of oversight, characterized in the draft report as "micromanagement", Calhoun County personnel would be working out with equipment ostensibly purchased to support the County's CSEPP exercise program.

Certainly, the items listed above cannot be seriously considered to augment the County's existing emergency preparedness capabilities.

In 1995, GAO issued its report *CHEMICAL WEAPONS: Army's Emergency Preparedness Program Has Financial Management Weaknesses*, (GAO/NSIAD-95-94, March 1995). In it, GAO found that "because of weaknesses in CSEPP's financial management reporting and internal control systems, Army and FEMA officials lack accurate financial information to identify how funds are spent or to ensure Program goals are achieved." As the 1995 report attests, FEMA and the Army have a responsibility to the taxpayers to soundly manage the program. In fact, in 1995, the Army redesignated CSEPP as an Acquisition Category 1 (ACAT 1) program to better oversee its financial side. In addition, FEMA worked diligently with the States to account for all unobligated funds prior to issuing FY 95 allocations. These actions were instituted in direct response to the GAO report and demonstrate FEMA's commitment to proper financial management.

The following examples are cited of instances where FEMA has been accused of micromanagement without a close examination of the facts.

Now on p. 14.

Example 1 - Road Signs (Page 16): Originally, Calhoun County was authorized permanent road signs, but met resistance on their placement from the State Department of Transportation. FEMA granted a reallocation of funds which authorized the purchase of mobile signs, with the understanding that the County utilize its existing transportation resources to transport the signs. However, the same County EMA Director who claims a need for 800 MHz radios for 65 county road department vehicles claims he does not possess the assets to transport three mobile road signs.

FEMA's authorization does not specify the County EMA as accountable for the signs; in fact we encouraged their placement with an agency assigned the mission of traffic control and more capable of placing

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them where needed in a timely way in the event of a CSEPP or other emergency.

FEMA placed the following caveat on maintenance of the equipment: (1) if it were used on a regular basis for other purposes, the county would have to maintain them; and (2) if the signs were used in the event of a CSEPP emergency only, FEMA would fund maintenance associated with their "mothballing" or storage. Significant documentation exists on this particular issue, and was provided to the GAO auditors. This is yet another example of Calhoun County's unwillingness to cooperate, yet it is reflected in this report as "FEMA Micromanages Local Projects." Further, GAO, while knowing the above, did not question Calhoun County about the signage being currently parked at the EOC.

Now on p. 13.

Example 2 - Sirens (Pages 15-16): It is not unreasonable to utilize an existing County asset (a helicopter) at no cost to conduct a siting survey in 4 hours versus a ground siting survey that would take roughly three days. As a result of these surveys, it was determined that only 10 of 39 requested sirens were within the purview of CSEPP guidance. At a cost of approximately \$32,000.00 per siren, the local community was requesting nearly \$1 million more support than appropriate.

FEMA believes that effective financial supervision must not be confused with micromanagement. Clearly a balance must be struck between sufficient oversight and desired flexibility; however, in view of the continued scrutiny by Congress and the GAO and the requirements for tight management and controls, FEMA would have been remiss had it not implemented stricter program management controls and oversight. Given the imbalance between this report and previous GAO reports under which FEMA is currently being requested to operate, clarification of the intent of both Congress and the GAO in this regard would be welcome.

Issue 9:

Page 16 -- Funding lacks teamwork and feedback.

Response:

FEMA disagrees with this assertion.

Under FEMA's Cooperative Agreement (CA) process, States are the legal recipient of all FEMA funds, including those designated for use in CSEPP. Money intended for local CSEPP projects is provided to the State and forwarded to the counties as their subgrantees. The State, as grantee, bears ultimate responsibility for the management and expenditure of all CA funds once they reach the State.

See comment 11.

In light of both the contractual relationship between FEMA and the States under the CA, and the established protocol developed at the States' request (outlined above), it is improper for FEMA to deal directly with the local community regarding funding issues.

Established protocol dictates that FEMA inform the State of pertinent funding decisions and rely on that State to pass the information on to its local communities. Thus, it is not the State's "prerogative to provide feedback to the counties," it is the State's responsibility.

FEMA is certainly willing to have face-to-face discussions of financial matters with local officials. We do, however, defer to the State regarding the need and likely productiveness of such a meeting.

Issue 10:

Now on pp. 15-16.

Page 18 -- Previous GAO reports describe long-standing weaknesses in CSEPP's financial management and controls.

Response:

FEMA accepts, as it has in the past, that there have been weaknesses in CSEPP's financial management and controls; however, no effort is made in the draft report to demonstrate the progress that has been made in correcting those deficiencies. Instead, the report implies that stricter oversight is simply FEMA's micromanagement, as noted above. Nor does the report address the issue of why Federal funds have not been expended, i.e., either because the State has encountered difficulties in the contracting process or because Calhoun County has refused to initiate work efforts until its demands are met in entirety by FEMA and the Army.

This is a particularly interesting conclusion in view of the draft report's numerous citations of Calhoun County's continuing "reluctance" or "unwillingness" to purchase equipment in approved quantities pending the resolution of disagreement over excess amounts requested by the County. This principle of all or nothing by the County has been a major contributing factor to the buildup of unexpended funds in the State and has seriously hindered the County's ability to respond to a chemical emergency.

The following points are outlined in order to provide clarification of the issues involved.

- The award of funds to the State prior to the initiation of a contract is required by State contract law.
- As in past GAO reports, this one takes issue with FEMA and the Army for the existence of unexpended funds in the State of

See comment 12.

Alabama, yet makes no attempt to make a correlation between the unforeseen inability of the State to perform some of the contracting and the County's refusal to initiate work efforts without achieving all of its demands from FEMA.

- States are unable to enter into contractual negotiations without the necessary funds on hand. Thus, funds are awarded to a State so that Requests for Proposal can be issued and the contractual process started.
- If the contract is delayed for any reason, those funds remain unexpended. They are, however, considered to be "obligated" to the project in question. This eventuality is undesired, but can not be prevented where the existence of funds on hand is a prerequisite to the contracting process.
- As long as they remain in the Smartlink account, no interest is collected by the State. Thus, the State receives no benefit from the accumulation of unexpended funds.
- The vast majority of unexpended funds result from Calhoun County's continuing refusal to enter into major contracts.
- Throughout the report, examples are cited of Calhoun County's continuing "reluctance" or "unwillingness" to purchase equipment in approved quantities pending the resolution of disagreement over excess quantities. This all or nothing mentality has led to the buildup of unexpended funds in the State, and seriously hindered the County's ability to respond to a chemical emergency.

CONCLUSIONS

We believe that the preceding information clearly supports and documents FEMA's contention that the delays in Alabama and Calhoun County that have prevented the development of the CSEPP are not the result of "FEMA's mismanagement" or "FEMA's micromanagement", but rather, a combination of the following:

- The unforeseen difficulties that the State of Alabama encountered in contracting for major programs.
- The difficulties that FEMA, the Department of the Army, the State of Alabama, and the other stakeholder counties in Alabama have encountered with Calhoun County's refusal to negotiate, withholding of equipment, bypassing of communications protocols, or refusal to initiate work efforts until all of its demands are met.
- The continued effort on the part of Calhoun County to develop increasingly elaborate systems, that have been the subject of

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critical newspaper articles in the local area, without any regard to the magnitude of the Federal taxpayers' funds that are involved or the fact that they are, in most cases, unnecessary.

- The County's failure to recognize that Federal officials are going to pay much closer attention after the County requests such items as walk-in freezers and gymnasium equipment under the guise of "CSEPP exercise equipment."

We believe that it is incumbent upon the GAO to recognize these problems in its draft report and publish a report that clearly assigns responsibility to all parties involved rather than attributing all problems to the Federal government.

The following are GAO's comments on the letter from the Associate Director for Preparedness, Training and Exercises, FEMA. The letter is dated May 29, 1996.

GAO Comments

1. It was not our intent to leave the impression that the delay in Alabama's CSEPP was solely the result of management weaknesses at the federal level. We have revised the final report to delete references to primarily and more clearly state that federal management weaknesses and state and local actions have contributed to the delay. However, until the Army and FEMA take steps to delineate their roles and responsibilities, complete and clarify CSEPP's planning guidance, reduce their involvement in state and local management of projects, and implement effective financial controls, federal, state, and local officials will continue to disagree on specific CSEPP requirements and time-consuming negotiations on projects in Alabama are likely to continue.

2. See comment 1.

3. We revised the report to show that some of FEMA's expenditures support the entire CSEPP community, including the development of program guidance, training courses, and computer software. However, almost 45 percent of all CSEPP funds have been for federal management, contracts, and military installations such as the Anniston Army Depot. Specifically, \$190.4 million (54.3 percent) was allocated to the state and counties, \$157.3 million (44.9 percent) was allocated to the Army and FEMA, \$1.1 million (0.3 percent) was allocated to other entities, and \$1.8 million (0.5 percent) is unallocated.

In our 1995 report on CSEPP's financial management weaknesses, we said that allocated funds at four of the eight storage sites were generally used for priority items and other critical CSEPP projects. However, because of weaknesses in FEMA's financial management and reporting, we were unable to provide a complete picture of how program funds were spent at the other four storage sites and that the program was susceptible to fraud, waste, and abuse. In addition, we did not report that CSEPP funds were effectively allocated. On the contrary, we reported that critical items needed by local communities to adequately respond to a chemical stockpile emergency were not operational or had not been purchased.

4. We revised the final report to more clearly state that some of Alabama EMA's and Calhoun County EMA's actions have contributed to the lack of

progress in Alabama's CSEPP. However, we do not agree with FEMA's position that the unexpended funds are mostly the result of Calhoun County EMA's refusal to initiate CSEPP projects until the Army and FEMA agree to all of the county's demands. The delays experienced in Alabama's CSEPP are likely to continue until an effective approach is developed for reaching timely agreements among federal, state, and local officials on specific requirements for projects.

5. We revised our report to reflect FEMA's position that the 800-MHz communications system is not in place because Calhoun County EMA refused to initiate work on the contract until the county's demand for additional radios was met. However, we disagree with FEMA's statement that the overall scope of the 800-MHz communications project was resolved in 1993. Since 1993, the Army and FEMA allocated \$1 million and \$2 million for additional equipment and radios in June 1995 and August 1995, respectively. As recently as April 23, 1996, FEMA authorized additional radios for Alabama and Talladega and Calhoun counties. It appears that all the disagreements about the project may have been resolved on April 23, 1996, when Army and FEMA officials agreed to provide additional 800-MHz radios to Alabama and Talladega and Calhoun counties. Calhoun County EMA officials awarded the 800-MHz contract on May 30, 1996. According to Calhoun EMA officials, the contractor has 16 months from the contact award date to manufacture and install the communications system.

The 800-MHz project is an example in which Calhoun County EMA delayed implementation of the project until it received enough radios, in its opinion, to help ensure maximum protection for the citizens of the county. In addition, Alabama and Talladega County benefited from Calhoun EMA's efforts in that they also received additional radios. In summary, we question FEMA's conclusion that Calhoun County EMA wrongfully delayed the 800-MHz project because the county insisted on a system that exceeded CSEPP requirements; after 3 years of negotiations, FEMA itself agreed to fund the county's request. Similar problems experienced with the 800-MHz project are likely to continue in Alabama until an effective approach is developed for reaching timely agreements among federal, state, and local officials on specific requirements for projects.

6. We revised the final report to include that, according to FEMA, the agency has not received a formal rebuttal or request from Calhoun County to change the authorization for the collective protection project. We also added to the report that Army officials believe Calhoun EMA's shelter time estimate of 3 days is excessive and that a chemical plume would pass over

the area in 3 to 12 hours. However, our concern with this project was that FEMA officials did not discuss their selection of facilities to be protected with local officials and selected five that they would prefer to be protected at a later date. In addition, according to Calhoun EMA, FEMA did not (1) provide enough funding for the supplies requested by the county and (2) discuss FEMA methodology to estimate the average cost of \$200,000 to protect each facility. Finally, as a result of CSEPP's fragmented management structure, there was a 6-month lapse between FEMA headquarters' authorization and Calhoun County's receipt of it.

7. We revised our report to include FEMA's position that there is nothing preventing Calhoun County EMA from purchasing the approved personal protective equipment but that the county has refused to initiate work on the project until its demand for additional funding is approved. As discussed previously, Calhoun County EMA is ready to issue a contract for the civilian respirators and protective suits when the requirements for medical examinations are defined and related funds are provided by FEMA. Although FEMA allocated funds for personal protective equipment in fiscal year 1995, federal and local officials are still negotiating specific requirements. The problems experienced in Alabama's CSEPP are likely to continue until an effective approach is developed for reaching timely agreements on specific requirements among federal, state, and local officials.

8. We revised our report to include the protocol for intergovernmental communications as described by FEMA. However, FEMA does not recognize the role and responsibilities of the CSEPP Core Team in its protocol. According to the Core Team's charter, dated January 6, 1995, the team is the focal point for accountability of the program and coordinates and integrates on- and off-post activities. The Core Team was established, in part, to streamline procedures, improve responsiveness to state and local agencies, and enhance the overall budget process. Because of differences similar to these, we continue to believe that the role and responsibilities of the CSEPP Core Team are not clearly understood by state and county officials.

In addition, we disagree with FEMA's statement that CSEPP has had a long-established protocol for communications. Army and FEMA officials routinely communicate with local officials without complying with the protocol described by FEMA. During this review, FEMA officials conducted on-site inspections of the CSEPP siren system in Alabama and routinely contacted county officials outside of FEMA's stated protocol.

9. According to FEMA, to the extent that CSEPP guidance is unclear, such flexibility is necessary to meet the diverse functional, technical, and geographical needs of CSEPP and the ill-defined maximum protection mandate of the Chemical Stockpile Disposal Program. We believe that without clear and complete program guidance, disagreements and time-consuming negotiations on projects in Alabama are likely to continue. In May 1996, we reported similar concerns about FEMA's ambiguous criteria for its disaster assistance program.¹

We revised the report to show that CSEPP guidance has been distributed in draft to state and county agencies pending resolution of outstanding issues. FEMA officials believe that the outstanding issues should not preclude the states and counties from using the drafts for daily planning. However, Calhoun County EMA officials do not consider FEMA drafts as final planning guidance. In addition, Alabama EMA officials said the program still needs to resolve numerous problems with reentry and restoration issues and that the continuous changes and redirection of the program have diverted resources away from protecting the public and the environment. Clay County EMA officials in Alabama told us that there is a general lack of clear guidance for CSEPP. In addition, Etowah County EMA officials said that CSEPP standards and guidance were changed whenever Army and FEMA officials wanted to change them, without regard to the needs of local governments.

CSEPP has had a working definition of maximum protection since 1991. CSEPP Policy Paper Number 1, entitled Definition of Maximum Protection, states that the most important objective of the emergency preparedness and implementation process is the avoidance of fatalities to the maximum extent possible should an accidental release of chemical agent occur. The policy paper states that this objective can be achieved through (1) the establishment of comprehensive emergency planning and preparedness programs and (2) preventive measures designed to render the chemical stockpile less susceptible to both internally and externally generated accidents. The Assistant Associate Director in FEMA's Office of Technological Hazards signed the policy paper on May 6, 1991.

10. We believe that the inability to reach agreement on specific projects is due, in part, to federal officials' being too involved in the management of local projects. Once the Army and FEMA approve and allocate funds for a CSEPP project, state and local agencies are in the best position to

¹Disaster Assistance: Improvements Needed in Determining Eligibility for Public Assistance (GAO/RCED-96-113, May 23, 1996).

implement and manage the project and federal involvement in the project should be minimal.

According to Alabama EMA officials, they have discussed the problem related to Army's and FEMA's micromanagement of CSEPP with FEMA officials. These officials said that the current CSEPP process does not allow state directors flexibility in managing their emergency preparedness programs. The issue of FEMA's involvement in the management of local projects was also raised by the Director of Calhoun County EMA on July 13, 1995, before the Procurement Subcommittee, House Committee on National Security. The Director testified that CSEPP projects were hampered by micromanagement at the federal level.

11. We believe that the inability to reach timely agreements on project and funding requirements indicates that the CSEPP budget process is not working effectively. As discussed in the report, state and county officials told us that the CSEPP process lacks teamwork. For example, Etowah County EMA officials in Alabama told us that the agency did not have an influence on the CSEPP budget process and that the agency very seldom receives a response from the Army or FEMA on substantive issues. Similarly, according to St. Clair County EMA officials, the county has no influence in the CSEPP budget process.

12. We revised the final report to recognize that some progress in CSEPP has occurred in Alabama. However, communities near Anniston Army Depot are not fully prepared to respond to a chemical stockpile emergency, and Alabama and six counties have not been able to spend \$30.5 million, 66.4 percent of the \$46 million allocated to enhance their emergency preparedness. Alabama and its counties have not been able to spend most of the CSEPP funds allocated to them because (1) FEMA, state, and local officials cannot agree on specific requirements for major capital projects and (2) FEMA has not provided Alabama or Calhoun County officials permission to spend some of the funds.

13. As discussed above, we have revised the report to more clearly state that Calhoun County EMA's actions have contributed to the delay of Alabama's CSEPP. However, we do not agree with FEMA's position that the unexpended funds are mostly the result of Calhoun County EMA's refusal to initiate CSEPP projects until the Army and FEMA agree to all of the county's demands. Disagreements and time-consuming negotiations on CSEPP projects in Alabama are likely to continue until an effective approach is developed for reaching timely agreements on specific requirements.

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